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## ABSTRACT

Intended for state and local school personnel, the handbook is designed to assist in developing notification procedures that comply with the procedural safeguards requirements of special education law and in meeting the informational needs of parents. Chapter 1 provides an overview of the due process provisions of P.L. 94-142 (the Education for All Handicapped Children Act) and Section 504 of the Rehabilitation Act of 1973. Chapter 2 deals with written notification by outlining the major occasions when written notice and consent are legally required with examples of notice and consent procedures for preplacement evaluation and initial placement after introducing issues in interpersonal communication, Chapter 3 focuses on interpersonal communication at the evaluation, Individual Education Program development, and placement stages. A final chapter reviews and summarizes notification principles applicable at each of seven stages in the special education planning process. A case study illustrates one family's journey through the special education planning process. Within each chapter, content is organized to lead from the presentation of general principles to the practical application of the principles. Chapters also contain descriptions of workshop activities, sample checklist, and notice forms. There is also an abstract bibliography of about 20 references originally published between 1975 and 1980. The approximately 60 state and local school systems who participated in the handbook's development are listed. (Author/SW)

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# STEPPING STONES TO PARENT NOTIFICATION

## A HANDBOOK FOR SCHOOLS

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March 1981

Abt Associates Inc.
Washington, D.C.

EC150648

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The opinions expressed herein do not necessarily reflect the opinions or policy positions of the U.S. Department of Education, and no official endorsement by the U.S. Department of Education should be inferred.

To each is given a bag of tools,

A shapeless mass and a book of rules,

And each must make ere life is flown,

A stumbling block or a stepping stone.

-- R.L. Sharpe

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# ACKNOWLEDGEMENTS

The success of an effort such as this depends on the contributions of many individuals.

The STEPPING STONES handbook is one product of a contract awarded to Abt Associates Inc. by the U.S. Office of Education in October 1978. During the first phase of this contract, the foundations for the STEPPING STONES materials were laid through information collected from a year-long investigation of notification practices in two states, New Jersey and North Carolina. We wish to thank the Directors of Special Education in those two states -- Paul Winkler and Theodore Drain -- for their support, and their staff -- Paul Porado and Lowell Harris -- for working continuously with us throughout the investigation to facilitate our efforts. Nine school districts in New Jersey and North Carolina permitted us to study their notification practices. Without the cooperation of the directors of special education in these districts, we would never have obtained an understanding of the complex administrative issues involved in notification. We are indebted to the hundreds of parents and school staff who permitted us to observe their parent/school meetings and who shared their perceptions of the parent/school communication process with us.

In addition to these nine school districts, other states and local school districts responded to our request for copies of their notice and consent forms and other written materials. These materials are reflected in the examples included in this book. All the participating school districts are noted in the "List of Participating School Districts" at the end of the book.

During the investigation phase, Stanley Mopsik was Project Director and Judith Agard Principal Investigator. Richard Anderson provided a thorough review of the conceptual framework for the investigation, and Linda Lewis and Maryann Hoff coordinated the field work in the two states. Teams of dedicated interviewers in each school district observed parent/school meetings and spoke with parents and school staff. We are grateful for their clear and complete reports of parent information needs and the efforts of school staff to respond to those needs through written and interpersonal notification.

During the materials development phase of the contract, Judith Agard was Project Director and Sharon Barry Materials Developer. As the handbook began to take shape, five persons with expertise in special education, materials development, notification, school administration, and the law critiqued the book from their special points of view. If this book is accurate in its content and clear in its design, much of the credit goes to Helen Almanza, Marcia Burgdorf, Lawrence Kotin, Stuart Losen, and Edward Meyen.

Linda Lewis made major contributions to the substantive content of the book and offered very helpful suggestions on its organization. Christine Swearingen provided strong administrative support and direction. Christopher Cross, John Lee, Sandra Murphy and Mary Tobin offered help and support at strategic points in the development process. The cover was prepared by Meredith Lightbown. A very special debt of gratitude is due to Pamela Richards, who edited and supervised the overall production of this volume.

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To all those who directly and indirectly were our stepping stone in the preparation of this book, we express our warm appreciation.

# TO THE READER

With the passage of the Education for All Handicapped Children Act (P.L. 94-142) and Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112, as amended), the rights of parents of handicapped children were formally stated in terms of a set of procedural safeguards. Among the most important of these safeguards are parents' right to be notified about and consent to important decisions affecting their children's special education.

## THE NEED

The recent federal laws and accompanying regulations delineate the rights of parents and responsibilities of schools at critical decision-making points in the special education planning process. However, translating laws and regulations from pages of microscopic print into actual school policy and practice is not always an easy task.

### Clarification

Some regulations seem open to interpretation. Some details of implementation are left to the discretion of state and local education agencies.

### Criteria

And, perhaps most important, models of complete and appropriate notice and consent practices have not been provided.

### Concrete Models

What has been needed are clarification, criteria, and concrete models with respect to the notice and consent requirements of the law.

## TARGET AUDIENCE

In response to this need, the STEPPING STONES handbook has been developed for state and local personnel responsible for designing, administering and implementing special education policy and practice. The primary audiences of this book are SEA and LEA special education administrators...

...directors of special education

...their administrative staff

...SEA, LEA, and RRC personnel responsible for staff development.

In addition, the handbook has been designed to serve as the basis for the in-service training of a secondary audience of...

...school principals

...school psychologists, guidance counselors, social workers and other support staff

...child study team leaders

...special and regular education teachers.

GOALS AND OBJECTIVES

The ultimate purpose of this handbook is to assist you and your staff in developing notification procedures that comply with the procedural safeguards requirements of the law and meet the informational needs of parents. Specifically, the book is designed to help you:

- understand how notification relates to the special education planning process as a whole

- provide written notification that includes all the information needed to inform parents fully

- use interpersonal communication to supplement written notification and encourage parents to participate actively in the decision-making process

- select and integrate written notification and interpersonal communication practices to meet the needs of your own school or district.

## ORGANIZATION

In accordance with the objectives outlined above, the handbook has been organized into four major sections.

### Chapter 1
### Getting Down to Basics

The first chapter provides an overview of the due process provisions of P.L. 94-142 and Section 504, including the events leading to the passage of this legislation. It defines the stages in the special education planning process, and explains where and how notification fits into this process. The basic roles, rights, and responsibilities of parents and schools in this process are discussed, and the benefits of and barriers to active parent involvement considered.

### Chapter 2
### Written Notification

The second chapter deals with written notification. It outlines the major occasions *when* written notice and consent are legally required, and, illustrates *how* notice and consent can be provided by focusing on the evaluation and IEP/placement stages. For each of these stages, you will find checklists of criteria to meet the notice and consent requirements as well as sample notices and requests for consent. Guidelines for supplementing required notice and consent with other written materials are also presented.

### Chapter 3
### Interpersonal Communication

Interpersonal communication is the subject of the third chapter. Different forms of personal communication are briefly discussed and one in particular, the parent/school conference, is explored in depth. The application of this conference at the evaluation and IEP/placement stages, using an agenda/checklist to structure and guide discussion, is considered. You will find lists of the information needs of parents and school at each of these stages, outlines of sample agenda/checklists, and suggested responses to questions parents typically ask at such conferences.

**Chapter 4**
**Putting It All Together**

The final chapter reviews and summarizes the written notification and interpersonal communication techniques available at each stage in the special education planning process. To illustrate how these mechanisms can work in concert with each other, a case study of one family's journey through the special education planning process is presented.

## INSTRUCTIONAL DESIGN

Within each chapter, content is organized so as to lead from the presentation of general principles to the practical application of these principles.

**Building a Knowledge Base**

↓

**Developing Notification Skills**

↓

**Applying Notification Skills**

Basic information about notification and its relationship to the special education planning process is first presented (e.g., the basic requirements of the law regarding notice and consent). Then these principles are applied to actual practice (e.g., sample notices and requests for consent). Finally, through instructions provided throughout each chapter and the activities presented at the end of each chapter, you are asked to apply the general notification principles to practices in your own school district (e.g., by revising existing notices and requests for consent to conform with federal requirements).

## POSSIBLE USES

Recognizing that you have been providing parent notification for some years now, and may have a need for information in some areas but not others, this handbook has been designed in a way that is both flexible and specific. It can therefore be used for several different purposes.

**General Review**

You can read the whole book to review or seek new ideas regarding notification practices -- both required and optional, written and interpersonal.

**Particular Needs**

You can go directly to individual chapters or portions of chapters for assistance with specific problems or needs -- e.g., to assure that your notification practices are in compliance with the law, or to find suggestions and materials for planning and conducting parent/school conferences.

**Self-Assessment**

You can use this book as a self-assessment tool. By reading the text and following the instructions that accompany the various exhibits, you -- or a staffperson or committee whom you designate -- can evaluate and if necessary modify your school/district's notification materials and practices.

Training

By using the workshop activities at the end of each chapter and reproducing the portions of the handbook suggested in these activities, you can design and conduct training sessions for your staff. As the introductory comments to each set of workshop activities indicate, these workshops can be of two types: (1) a single session or series of workshops to provide staff with a general overview of notification; or (2) more intensive, in-depth sessions to train appropriate staff to evaluate, revise or develop specific notification materials or practices.

Whether you use the book in whole or in part, as a self-assessment or training tool, you will of course need to take into account any state or local requirements in adapting the information presented here.

OUTCOME

The desired outcome of this handbook is a set of notification materials and practices that meet the requirements of the law, the concerns of your staff, and the needs of the parents and children in your district. We hope that this handbook will help you come up with a notification system that will make everyone sit up and take notice.

# CHAPTER ONE

## GETTING DOWN TO BASICS

Historically, special educators have always recognized the importance of involving parents in their child's special education. Today, this involvement is mandated by federal and state law.

The new laws require that parents be fully informed about and consent to important decisions affecting the special education of their children. Moreover, they prescribe that parents be given the opportunity to participate in the decision-making process. And, in cases where parents disagree with what is proposed, the laws guarantee procedures for resolving conflicts. The intent is that parents and educators together will decide whether a child needs the help of a special education program and, if so, what the nature of that program will be.

These laws did not come into existence suddenly. They were built on the experiences of parents and schools and on legal precedents set in state and federal courts and legislatures.

## LAYING THE FOUNDATION

In the not-too-distant past, school personnel usually made educational programming decisons for all students, informing parents only after a decision was made. Handicapped children were placed in those special classes or programs the school felt were appropriate. Frequently, parents were not notified before their children were evaluated. Often, they were not consulted until after a special placement was determined.

PARENT CONCERN

During the 1960s and 1970s, parents of handicapped children began to recognize that they should be consulted with regard to their children's education. They maintained that in some cases schools were abusing their discretion as educational decision-makers. They argued that many students were being evaluated and placed in special programs without appropriate supporting data, and that some were being classified on the basis of tests and procedures that were culturally and linguistically discriminatory.

Parents alleged that children were sometimes misclassified and placed in educational programs that didn't meet their needs or prepare them for life. The inappropriate labelling and segregation of mildly handicapped children was perceived to be stigmatizing and to encourage self-fulfilling prophecies. Many seriously handicapped children, on the other hand, were placed in institutions that offered minimal education and training, or were enrolled in private schools by their parents at considerable expense.

## LEGISLATIVE ACTION

In addition to voicing their concerns to the schools, parents and their advocates appealed to the courts. Gradually, it was recognized by lawmakers as well as educators that classifying a child as handicapped and placing him or her in a special class or institution could have potentially negative consequences. Moreover, undertaking such actions wihout parental knowledge and consent was depriving parents of their right to due process.

**DUE PROCESS IS...**

... a constitutional right guaranteed by the Fifth and Fourteenth Amendments which assures fair procedures are followed to protect important individual interests. In the area of special education, due process requires that a person: (1) be given notice that an action involving special education is pending; (2) be provided with an opportunity to be heard regarding the action; (3) be given the chance to make an informed choice about whether to acquiese to or contest the action; and (4) have disputes resolved by an impartial decision-making authority after both parties have presented their full case.]

Over the years, in case after case, the courts ruled in favor of parents and ordered schools to comply with the concept of due process when identifying, evaluating and placing children in special education. As a result of this "quiet revolution," all but two states had adopted some sort of mandatory law regarding the education of handicapped children by the time the federal Education for All Handicapped Children Act became law on November 29, 1975.

**P.L. 94-142**

The Education for All Handicapped Children Act, then, is the culmination of years of reflection, investigation, litigation and lobbying by parents, school personnel, and other advocates for handicapped children. This piece of landmark legislation has several major purposes, including:

- To guarantee a free, appropriate educational program to all handicapped children.
- To ensure due process in the making of decisions about educational programming for handicapped children.
- To establish clear management and auditing requirements and procedures regarding special education at all levels of government.
- To support the special education efforts of state and local governments with federal funds.

**Section 504**

The intent of P.L. 94-142 was strengthened by Section 504 of the Vocational Rehabilitation Act Amendments of 1973 (P.L. 93-112). Section 504 is a mandatory civil rights statute designed to:

- prohibit discrimination against handicapped people in all institutions receiving federal financial assistance

-and-

- provide a free and appropriate public education to all handicapped children.

Though brief in actual language, the implications of this statute are far-reaching, for federal funding can be withheld from state or local agencies in violation of Section 504.

P.L. 94-142 and Section 504 contain similar and parallel concepts. However, it is P.L. 94-142 that specifies what education for handicapped children should include and how it should be provided. The material in this handbook, therefore, is based primarily on the due process provisions of P.L. 94-142 -- and specifically on parents' right to be notified and to grant (or withhold) consent.

## PARENT NOTIFICATION

The theme of parent notification is a highly significant feature of the P.L. 94-142 due process provisions. Parents must be notified in writing:

- before a child is identified, evaluated or reevaluated
- before the meeting to develop, change, or review a child's special education program
- before a child is placed in a special education program
- whenever a child's program or placement is changed or terminated
- whenever parents' request for an evaluation, initial placement, placement change, or specific special education services is denied.

## DUE PROCESS PROVISIONS OF P.L. 94-142

| **Parents Must:** | | **Schools Must:** |
|---|---|---|
| Receive → | WRITTEN NOTICE of (1) the intent or refusal to involve a child in the special education process through identification, evaluation, placement, or provision of special education services, and (2) any changes in the student's program or placement. | ← Provide |
| Give → | WRITTEN CONSENT before a child is initially evaluated or placed in special education. | ← Obtain |
| Have the opportunity for → | PARENT PARTICIPATION in the meeting at which their child's IEP is developed or reviewed. | ← Facilitate |
| Be informed in writing of → | PARENT RIGHTS, including the right to examine their child's school records, request an independent evaluation, and initiate a due process hearing; and STUDENT RIGHTS, including confidentiality of records, fair and impartial evaluation, and placement in the least restrictive environment. | ← Notify parents in writing of |

## RIGHTS OF SCHOOLS

Although the law may seem to be on the side of parents, it is designed with the best interests of the special needs child in mind. For that reason, schools are guaranteed similar rights with respect to initiating a due process hearing.

SCHOOLS HAVE THE RIGHT TO REQUEST A DUE PROCESS HEARING IF...

...parents fail to respond or refuse consent to an evaluation.

...parents request that the school pay for an independent evaluation and the school wishes to contest that request.

...parents refuse to accept the special education program proposed by the school and do not request a due process hearing.

## ROLE OF PARENTS

### Active

Some requirements placed on schools by P.L. 94-142 are designed to give parents the opportunity to play an active role in their child's education -- working closely with the school, raising questions about things they don't understand, expressing their goals and preferences for their child, offering suggestions for possible instructional strategies, and voicing agreement or disagreement with program and placement decisions. However, not all parents of handicapped children take full advantage of their rights or become involved in their child's education to the degree that the law makes possible.

### Passive

Some parents participate passively -- attending parent/school conferences but functioning primarily as observers, accepting the information provided by the school but not seeking more, providing background information about their child but never voicing agreement or disagreement. Other parents participate even more peripherally, confining their involvement in their child's special education to granting consent when requested.

**Stumbling Blocks**

Sometimes parents remain withdrawn because they are confident the school will do the right thing for their child. Other times their limited participation is because ...

...they don't have time or can't get away from work

...transportation, babysitting, or other logistical problems stand in the way

...they are intimidated by school professionals, terminology, or procedures

...they feel they have nothing to offer.

Fortunately, all of these stumbling blocks can be surmounted with positive school action.

## ROLE OF SCHOOLS

**Active**

Like parents, schools can also assume a variety of roles in assuming their responsibilities. They can take a facilitative role in informing and involving parents -- i.e., supplementing written notice and consent with other written materials and interpersonal contacts, and helping parents fully exercise their rights and fulfill their responsibilities. Or, schools can confine themselves to meeting the basic requirements of the law -- i.e., providing for written notice and consent.

**Passive**

**Stumbling Blocks**

Some schools may be reluctant to adopt a more active role in involving parents. This may be because of...

...the additional time and expense involved

...the new skills required of school staff

...the lack of precedents for actively involving parents in educational decision-making

...an emotional reluctance to work closely with parents who may be angry, demanding, uncooperative or apathetic.

Fortunately, in this case too, the walls can come "tumbling down."

## BENEFITS OF PARENT INVOLVEMENT

In the short run, developing and implementing strategies to encourage active parent participation can be time-consuming and demanding. In the long run, however, most schools find that the benefits far outweigh the costs. Among the advantages of a special education planning process that actively seeks to inform and involve parents are the following.

**Information**

The school gains access to the unique practical and personal information that parents acquire through living with their children and watching them grow up. This kind of background information can assist school personnel greatly in the special education assessment, programming and placement process.

**Parental Support**

Actively involved parents usually assume more responsibility for working with their children at home, thus ensuring that the special instruction that takes place at school is reinforced in the student's daily living experiences.

**Problem Resolution**

When an open and mutually respectful working relationship with parents is established as soon as a problem is suspected, the number and intensity of confrontations with parents may be reduced. Problems can be identified and resolved before they reach the crisis stage.

**Appropriate Education**

When those persons responsible for a child's formal education and the parent(s) or guardian(s) overseeing the child's general development work together as a team, the individual special needs of the child are more likely to be met.

For these and other reasons, many schools provide written notice and request consent as part of an overall effort to improve communication and establish cooperation.

## MAKING DECISIONS

The due process provisions of P.L. 94-142 and Section 504 provide general guidelines for assuring that the constitutional rights of handicapped children and their parents are met. Many of the details involved in implementing these laws, however, are left to the discretion of state and local educational agencies. What does "informed consent" really mean? What kind of language should be used to assure that the notice is "understandable to the general public?" These are some of the questions you must answer for yourselves. In addition, you must decide to what degree you wish to supplement the legal requirements regarding parent involvement, and you must find ways to integrate the new procedures and policies into existing systems.

## MEETING THE CHALLENGE

The real challenge of implementing the new laws, then, rests with state and local school personnel. As the front-line managers, you hold the key to the success or failure of P.L. 94-142 and Section 504. It is up to you to translate the legal mandates into educational practices, and to encourage effective parent participation.

This handbook is designed to help you develop and implement such policies and practices. In the end, though, your success or failure will depend on how committed you are to the concept of involving parents in the special education decision-making process, and to the goal of satisfying the spirit as well as the letter of the law.

## BUILDING STEPPING STONES

As you well know, developing an appropriate educational program for a child with special needs is a complex and continuous process. This planning process begins with the formal or informal identification of a child who is not benefitting from the school's regular program. The process continues until the child no longer needs special assistance. Often, the planning process is needed throughout a student's school life.

The everpresent goal of the special education planning process is to provide a handicapped child with a free, appropriate public education. To achieve this goal, the planning process includes a number of major stages at which different decisions are made and somewhat different school staff involved.

Although there are various ways of defining these stages, in this handbook we refer to seven stages.

## STAGES IN THE SPECIAL EDUCATION PLANNING PROCESS

### IDENTIFICATION

In which a formal or informal search process reveals that a child may be handicapped, and he or she is referred for an initial screening and/or comprehensive evaluation.

### EVALUATION

In which parents are notified of the school's proposal to evaluate their child and, if the parents consent, the child is evaluated and his or her eligibility for special education determined.

### IEP

In which an individualized education program outlining the goals, objectives, and special education services appropriate for the child is developed (considering the results of the evaluation, and at a meeting to which parents must be invited).

### PLACEMENT

In which an appropriate least restrictive environment for the child is determined (based on the IEP), and parents are notified and asked to consent in writing to this placement.

### PROVISION OF SERVICES

In which the special education services described in the IEP are provided in the placement to which parents consented.

### REVIEW

In which the child's educational progress is reviewed, his or her continuing need for special services reassessed, and necessary modifications in the IEP and/or placement made (at a meeting to which parents must be invited).

### REEVALUATION

In which parents are notified that their child is to be evaluated again, the child is reevaluated to determine continued eligibility for special education, a new IEP is developed (at a meeting to which parents must be invited), and parents are notified of any change in placement or program.

**STEPPING STONES**

Within each of these seven stages occur a detailed set of activities -- the "stepping stones" in the special education planning process. Some of these stepping stones are educational activities performed by school staff -- e.g., evaluating a child. Others involve required or recommended parent notification practices -- e.g., delivering written notice of the intent to evaluate a child.

The focus of this handbook is on those stepping stones that lead to parent notification.

**INFORMATION NEEDS**

The particular notification mechanisms used, and their timing and sequence, vary from school district to school district. Even within a single district, variation may occur to meet the needs of particular parents. In all cases, however, the ultimate goal is to develop an appropriate educational program for a handicapped child.

In order to do this, parents and school must share with each other certain basic information. In general, the information that is shared by parents and school in their cooperative effort to plan the educational program of a handicapped child can be clustered into six main areas.

INFORMATION NEEDS OF PARENTS AND SCHOOL

1. The Nature of the Child's Educational Problems and Needs
2. The Nature of the Educational Action, Program, or Service to be Provided
3. The Special Education Process
4. Parent/Student Rights and Procedural Safeguards
5. Logistics and other Information to Facilitate Parent Involvement in the Decision-Making Process
6. Resources Available Outside the School

As you will see in the chapters that follow, certain information in each of these categories must be included in the written notice to parents. Other information has been found by many schools to be helpful to parents, and sharing it is therefore recommended as professionally responsible practice. A wide variety of mechanisms, both written and interpersonal, exists to communicate this information.

## WORKSHOP ACTIVITIES

The material included in this chapter could be incorporated into two types of workshops:

- a single two-hour workshop designed to provide teachers and school staff with a general overview of the stages in the special education planning process and the due process requirements of the law;
- the introductory session(s) in a series of workshops on notification designed to provide appropriate school administrators and specialists with in-depth knowledge and practical skills.

Depending on the time available and the information needs of your staff, you can pick and choose from the following activities.

### ACTIVITY #1: INTRODUCTION TO NOTIFICATION

| | |
|---|---|
| Purpose: | To orient participants to the stages in the special education planning process and stimulate discussion about how parents can be notified at each of these stages |
| Time: | 45 minutes |
| Material: | STEPPING STONES Slide/Tape and Discussion Guide (available from your Regional Resource Center) |

The STEPPING STONES Slide/Tape follows the parents of Larry Johnson, a 10-year-old learning disabled boy, through the major notification points in the special education planning process. The school shown not only meets the legal requirements for prior notice and consent of parents, but also makes additional efforts to ensure that parents are fully informed and involved in the planning process.

1. Show the slide/tape to participants and use the questions and activities suggested in the accompanying discussion guide to prepare participants for viewing the slide/tape and to initiate discussion afterwards.

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2. The slide/tape illustrates three types of reactions that many parents have during the special education planning process:

   - surprise and anxiety upon hearing the school wants to evaluate their child;
   - concern about the stigma of special education;
   - fear that the child will be isolated and separated from friends.

Since these issues are important ones that will come up again in these materials, you may want to identify them and discuss them briefly with participants at this point.

### ACTIVITY #2: DUE PROCESS AND NOTIFICATION

| | |
|---|---|
| Purpose: | To help participants understand the purpose of the legal requirements for notice and consent in terms of the concept of "due process" |
| Time: | 15 minutes |
| Material: | Copies of "Due Process Provisions of P.L. 94-142" (page 5) |

Much of the confusion about written notice and consent has its roots in misunderstanding about the underlying purpose of the legal requirements: to protect the constitutional rights of handicapped children and their parents through due process.

1. Based on the information provided on page 2, define due process and explain how it applies to special education. Note the school's rights with respect to initiating a due process hearing (page 6), and emphasize that the ultimate beneficiary of all the P.L. 94-142 due process provisions is the special needs child.

2. Summarize by distributing and discussing copies of "Due Process Provisions of P.L. 94-142."

## ACTIVITY #3: PARENT INVOLVEMENT IN THE SPECIAL EDUCATION PLANNING PROCESS

**Purpose:** To develop an appreciation of the benefits of parent participation in the special education planning process, and come up with ways to overcome some of the barriers to their active involvement

**Time:** 45 minutes

**Material:** Paper and pencils

As a result of the recent legislation, parents of handicapped children are now involved with the school in making decisions about their children's special education. School staff may be at different levels of awareness with respect to how parent participation can benefit the various parties involved, and this can affect the success of their efforts to inform and work together with parents.

1. Have participants break up into small groups. Provide the groups with paper and pencils, and give them 15-20 minutes to discuss and come up with two lists:

   (a) Benefits of Active Parent Involvement in the Special Education Planning Process.

   (b) Barriers to Active Parent Involvement in the Special Education Planning Process.

   The first list should include specific contributions parents can make. The second list should include personal feelings and attitudes of both parents and school, practical and logistical problems, and language and cultural barriers.

2. Reconvene as a full group, and have each of the small groups share their lists. Make master lists of the benefits of and barriers to active parent involvement on a blackboard or large pad of paper, and discuss each one. In discussing the benefits, encourage participants to share their own experiences, including how much extra time and effort on the part of the school is required to involve parents. In discussing the barriers, talk about the degree (or varying degrees) of parent involvement in your own school or district, what degree of parent involvement is desirable, and how this involvement can be facilitated and barriers overcome.

## ACTIVITY #4: STAGES IN THE SPECIAL EDUCATION PLANNING PROCESS

| | |
|---|---|
| **Purpose:** | To provide participants with a perspective on the purpose and flow of the special education planning process, and on where and how notification fits into this process |
| **Time:** | 30 minutes |
| **Material:** | "Stages in the Special Education Planning Process" (page 11) |

The major activities that must take place to provide a child with special education services are the same in all schools. However, these activities -- or stages -- may be defined differently from state to state or school district to school district.

1. Hand out copies of "Stages in the Special Education Planning Process," and compare this general delineation of stages with the overall process in your school or district.

2. Prepare a flow-chart outlining the general stages and specific activities that make up the special education planning process in your school district. Discuss with participants:

   - how each stage is dependent on the preceding stage and, at the same time, affects what happens in the following stage;

   - the general categories of information that are shared by parents and school in each stage;

   - special problems that occur at any of these stages with regard to notifying and/or involving parents, and how these problems might be solved.

## CHAPTER TWO

## WRITTEN NOTIFICATION: SPEAKING IN YOUR OWN WRITE

Some school staff regard the written notice and consent requirements as stumbling blocks to the performance of their proper educational duties. However, because it facilitates communication between parents and school, written notification actually helps school staff move closer to one of their major goals: the provision of an appropriate education to all children.

By providing crucial information in a clear, complete and timely way, written communication can pave the way for the interpersonal interactions that follow. It can lay the groundwork for making decisions that satisfy everyone involved. Moreover, written notification that is thoughtfully and sensitively written can convey the school's understanding and support, and in this way strengthen the parent/school relationship. Such a relationship is one of the first steps in ensuring that a handicapped child is able to make the most of the educational opportunities available.

For these reasons, written notification is not a stumbling block, but an important stepping stone.

### WRITTEN NOTICE AND CONSENT: UNDERSTANDING THE BASIC REQUIREMENTS

To meet the basic requirements of the law regarding notice and consent, schools must:

- Notify parents of handicapped children in writing of major special educational actions proposed or refused for their child;
- Secure parents' written, informed consent before proceeding with certain initial actions; and
- Meet specific content, language and format criteria for both written notice and consent.

Confusion and misunderstanding about these requirements most often have their source in two questions:

- When are notice and consent required?
- What must they include?

**WHEN ARE NOTICE AND CONSENT REQUIRED?**

For both notice and consent, the regulations for P.L. 94-142 specify when these safeguards must be provided.

WRITTEN NOTICE MUST BE GIVEN TO THE PARENTS OF A HANDICAPPED CHILD A REASONABLE TIME BEFORE THE SCHOOL:

- Proposes to initiate or change...

  ...identification
  ...evaluation
  ...educational placement
  ...provision of a free, appropriate public education.

- or -

- Refuses to initiate or change...

  ...identification
  ...evaluation
  ...educational placement
  ...provision of a free, appropriate public education.

Provision of a free appropriate public education is defined as special education and related services provided in conformity with an individualized education program.

WRITTEN CONSENT MUST BE OBTAINED FROM THE PARENTS OF A HANDICAPPED CHILD BEFORE THE SCHOOL:

- Conducts a preplacement evaluation;
- Initially places the child in a program providing special education and related services;
- Discloses personally identifiable information to anyone other than those involved in the provision of special education and related services to the child.

**These legally defined occasions when written notice and consent are required can be further considered in terms of the seven special education planning stages.**

Identification

A PUBLIC ANNOUNCEMENT IS REQUIRED:

- Prior to the school's initiating a formal, school-wide screening activity.

The occasions referred to here include: school-wide vision or hearing screenings; community-wide preschool "round-ups" that involve physical, educational and psychological examinations of children in public pre-school programs; and the review of school-wide standardized achievement test scores or minimum competency test scores. The public announcement required for these activities is different from the personal notice required by P.L. 94-142. The public announcement should describe the event that will occur and indicate the date, time and place. It would also be good practice to (a) indicate what actions will be taken regarding those students whose screening results appear to be out of the normal range, and (b) what rights parents have to withdraw their child from participation in the screening program.

Evaluation

NOTICE IS REQUIRED:

- Prior to the school's conducting a preplacement evaluation.
- If the school denies a parent's request to conduct a preplacement evaluation.

**If the parents are the source of their child's referral, they must be notified in writing if a decision is made by a screening committee, principal, or other school staffperson to take some action other than a comprehensive evaluation, since this decision is, in effect, a denial of the parent's request for an evaluation.**

CONSENT IS REQUIRED:

- Prior to the school's conducting a preplacement evaluation.
- Prior to the school's obtaining records from outside agencies and professionals.

The need to obtain a child's records from an outside agency or professional usually arises during the evaluation stage. However, it may also occur during the identification stage if outside records are reviewed as part of the screening process.

IEP/Placement

NOTICE IS REQUIRED:

- Prior to placing a child in a special education program and providing special education and related services in conformity with his or her IEP.
- When the school determines that a child is not handicapped, is ineligible for special education and related services, and consequently does not require an IEP or placement in a special education program.
- When the school denies a parent's request for a specific special education placement or related services.

The written notice requirements regarding the initial placement and provision of special education and related services are usually satisfied in the same notice. Providing parents with a copy of their child's IEP will not satisfy these requirements unless the IEP contains all the required content elements of notice (see page 27).

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When the school refuses to provide a specific placement or special education services, this is, from the parents' perspective, a denial of the provision of a free appropriate public education. Written notice is required even if parents are present at an IEP meeting and understand the reasons for the school's refusal. Of course, if parents withdraw their request and agree to the school's proposed placement and services, written notice is not required.

CONSENT IS REQUIRED:

- When the school initially places a handicapped child in a program providing special education and related services.
- When the school is asked to disclose information to outside agencies or professionals other than those who participated in the evaluation or who will provide special education services.

Consent to placement may be given by having parents sign an IEP if the IEP includes information on the initial placement which meets the requirements of consent.

Provision of
Services

NOTICE IS REQUIRED:

- When the school proposes to change or refuses to change a child's special education placement or related services.

If changes in a student's placement or services are necessitated prior to an annual review, parents must be notified in writing of the proposed changes and invited to an IEP meeting to discuss the changes. The written notice may be combined with an invitation to the IEP meeting, provided at the meeting, or delivered after the meeting has occurred. Again, sending parents a copy of the revised IEP will not suffice as written notice unless the IEP is accompanied by a full explanation of the changes and a description of parents' rights. If parents request a change which the school cannot or will not implement, written notice of the denial is required if parents persist in their request after the IEP meeting.

Review

NOTICE IS REQUIRED:

- When the school proposes to change a child's special education placement or related services.
- When the school denies parents' request for a change in the student's special education placement or related services.
- When the school proposes to dismiss a student from special education.

If parents are present at the IEP meeting, or participate in some other way and have an opportunity to obtain a copy of their child's new IEP, then written notice of the differences between the present and new IEPs is not required. Written notice after the annual review is meant to: (1) inform parents who did not attend or participate in the meeting; and (2) provide parents with written documentation of any proposed placement change. Thus, notice is required only if: (1) parents are not present at the IEP meeting; or (2) there is a change in placement. Written notice of the proposed change in placement may be sent prior to the annual review meeting, given to parents at the meeting, or sent after the meeting.

If parents are not present or do not participate in the annual review, sending the revised IEP with an explanation of any changes in placement or services and a description of parents' rights will suffice.

**Providing written notice of termination does not relieve a school from inviting parents to an IEP meeting at which the possible termination is discussed. A notice of proposed termination may be combined with an invitation to an IEP meeting or may follow that meeting. Written notice of termination is required whether or not parents attend the IEP meeting.**

Reevaluation

NOTICE IS REQUIRED:

- When the school proposes to conduct a reevaluation of the student.
- When the school denies a parent's request to conduct a reevaluation.

The school cannot deny a parent's reasonable request for a reevaluation; but if the school believes the request is unreasonable, it must provide written notice of its denial to the parent.

## OCCASIONS WHEN NOTICE AND CONSENT ARE REQUIRED

| STAGE | NOTICE REQUIRED | CONSENT REQUIRED |
|---|---|---|
| Identification | ● Announcement of General Screening | |
| Evaluation | ● Notice of Preplacement Evaluation<br>● Notice of Intent Not to Evaluate | ● Consent to Preplacement Evaluation<br>● Consent to Release of Records |
| IEP/Placement | ● Notice of Initial Placement<br>● Notice of Nonplacement<br>● Notice of Intent Not to Provide a Specific Placement or Related Services | ● Consent to Initial Placement<br>● Consent to Release of Records |
| Provision of Services | ● Notice of Change in Placement or Related Services | |
| Review | ● Notice of Change in Placement or Related Services<br>● Notice of Intent Not to Change Placement or Related Services<br>● Notice of Termination of Special Education | |
| Reevaluation | ● Notice of Reevaluation<br>● Notice of Intent Not to Reevaluate | |

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**WHAT MUST NOTICE INCLUDE?**

The P.L. 94-142 regulations specify what content the written notice and request for consent must contain, and establish some requirements regarding how the notice and request for consent must be formatted and delivered. These requirements apply to all occasions for which notice and consent are required. In addition, general legal custom and usage impose other requirements for both notice and consent.

It is good legal practice to include all required content in the notice itself, although more complete information on individual items may be provided in supplemental brochures. Each notice should be complete in itself; parents should not have to refer to previous notices for information that is required within the current notice. However, if the notice itself is basically complete, parents may be referred to brochures received earlier for more complete descriptions.

The exact content and format of a notice will depend on the specific notification point. However, in all cases, there are some general requirements that must be satisfied.

## GENERAL NOTICE REQUIREMENTS*

### Content

The notice must contain:

| | |
|---|---|
| ● A description of the proposed or refused action. | § 300.505(a)(2). |
| ● An explanation for the proposed or refused action. | § 300.505(a)(2). |
| ● A description of any options that were considered and the reasons why those options were rejected. | § 300.505(a)(2). |
| ● A description of each evaluation procedure, test, record or report used as a basis for the proposed or refused action. | § 300.505(a)(3). |
| ● A full explanation of all the procedural safeguards available to parents and children. These are: | § 300.505(a)(1). |
| --opportunity to examine records ... | § 300.502. |
| --independent educational evaluation ... | § 300.503. |
| --prior notice of evaluation and reevaluation ... | §§ 300.504(a);<br>300.505. |
| --written consent to preplacement evaluation ... | §§ 300.500;<br>300.504(b)(i). |
| --prior notice of program/placement change ... | §§ 300.504(a);<br>300.505. |
| --written consent to initial placement ... | §§ 300.500;<br>300.504(b)(ii). |
| --impartial due process hearing and appeal ... | §§ 300.506 - 513. |
| --fair and impartial evaluation ... | §§ 300.530 - 532;<br>300.534. |
| --placement in the least restrictive environment ... | §§ 300.533;<br>300.550 - 556. |
| --confidentiality of records ... | §§ 300.560 - 574. |

### Format

The notice must be:

| | |
|---|---|
| ● Written in language understandable to the general public. | § 300.505(b)(1). |
| ● Provided in parents' native language or other mode of communication used by parents. | § 300.505(b)(2). |

---

*This list of requirements is based on the regulations for P.L. 94-142, and the legal citations refer to Title 34 of the Code of Federal Regulations.

As we have seen, the need for written notice that meets these content and format requirements occurs at 11 occasions in the special education planning process. Two of these occasions,-- notice of preplacement evaluation and notice of initial placement -- are generally the most complex in terms of information exchanged. They are also the two points where written consent is required. For these reasons, they will serve as the focus for the discussion of notice in this handbook.

To begin, let us look at each content and format requirement as applied to Notice of Preplacement Evaluation and Notice of Initial Placement.

## Notice Content

Description of Proposed Action

THE PREPLACEMENT EVALUATION notice should indicate that the evaluation will cover several areas of functioning, use a number of different tests or procedures, be individually administered, and be used for educational purposes. The description should include assurances that the evaluation materials and procedures are valid for the purpose(s) for which they are used, and that all tests and procedures will be selected and administered in a manner that does not discriminate on the basis of race, culture, or sensory/manual/speaking impairment. The specific evaluation procedures or types of procedures must be described. In cases where the actual tests to be given to a student are not known in advance, the school must give parents a description of the general kinds of tests that will be used -- e.g., "an individually administered test of general intelligence to measure abilities such as being able to remember numbers and knowing the meaning of different words."

Finally, in order to alert parents to both potential benefits and possible adverse consequences, the notice must inform parents that the purpose of the evaluation is to determine whether or not their child is eligible for special education services. In certain communities, being classified as needing special education may be viewed as stigmatizing. Furthermore, receiving special education services may involve special instruction that separates the child from the regular class program for some portion of the school day. For these reasons, the use of euphemisms to indicate the purpose of the evaluation (e.g., "your child may have a reading problem requiring special help") does not meet the legal requirements.

In the case of the notice of INITIAL PLACEMENT, the proposed action should be described in at least one or two sentences. For example, the description of the proposed placement might read: "The placement is in an LD resource class for 45 minutes a day, during which time the resource teacher will work with the student on the reading goals and objectives indicated in the IEP. The resource teacher will also provide the regular teacher with special reading materials." Some schools supplement the description of the proposed placement with a brochure describing the range of services and opportunities available to students placed within that program.

Explanation for the Proposed Action

In the case of the PREPLACEMENT EVALUATION notice, the rationale should be stated in terms of the child's current difficulties with some aspect of the regular education program. Tests and other procedures that support the decision to evaluate may also be mentioned.

In the INITIAL PLACEMENT notice, this criterion is met by stating that the results of the evaluation and the child's IEP indicate this placement is appropriate, and explaining why. In other words, the evaluation results and IEP content must be summarized and related to the placement. This can be brief. For example: "Your child's evaluation results and IEP indicate that s/he requires continued assistance in language skill development. This assistance is available in the resource class."

### Description of Any Options Considered and the Reasons Why Those Options Were Rejected

In the PREPLACEMENT EVALUATION notice, a description of options considered and rejected might be phrased in terms of non-special education activities that were undertaken with the child but proved unsuccessful, and other interventions that were seriously considered but rejected. For example, if a child was referred for remedial reading but not accepted, then the referral and reason for rejection should be noted.

In the INITIAL PLACEMENT notice, what would suffice is a summary statement such as: "We considered placing your child in a less restrictive placement such as a resource class, but this would not have permitted the same level of intensive, individual instruction as our full day program offers."

### Description of Each Evaluation Procedure, Test, Record, or Report Used as a Basis for the Proposed Action

Generally for the PREPLACEMENT EVALUATION, the tests, records, reports and other procedures that form the basis for the decision to conduct an evaluation consist of teacher reports, observations, work assignments, teacher-designed tests, curriculum publisher tests, and group achievement, vision, hearing, or intelligence tests. It is not necessary to indicate the results of these tests, only to indicate which sources were used as a basis for the decision to evaluate. An evaluation by an outside agency, private physician or psychologist may also be the reason for the school's decision to conduct a preplacement evaluation.

In the case of the INITIAL PLACEMENT notice, many districts provide a written summary of the evaluation, thus meeting this requirement as well as the one to describe the rationale for the placement.

**Full Explanation of All Procedural Safeguards Available to Parents and Children**

Because the PREPLACEMENT EVALUATION notice is a legal document, this information should be provided on the document itself. It is acceptable, however, to outline parents' rights on the notice and describe them in more detail in a separate, attached brochure. The notice should include pracical details on how to access records and, especially, how to obtain an independent evaluation at the school's expense, since the rules and procedures for this vary widely.

These criteria also apply to the INITIAL PLACEMENT notice. Although parents who have received a preplacement evaluation notice have been notified of their rights, each notice must contain a full statement of parents' rights. Some of these rights become more important when the evaluation has been completed and decisions are being made regarding eligibility, program, services, and placement. The rights to confidentiality of records, an independent evaluation, and a due process hearing should be emphasized here. And two important aspects of the right to an independent evaluation should be clear: (1) the right to have the results of an independent evaluation considered in determining eligibility, developing the IEP, and selecting an appropriate placement, regardless of who pays for it; and (2) the right to have the school underwrite the cost of the independent evaluation if the school agrees that its evaluation was incomplete, inaccurate, or in some other way unsatisfactory, or if a hearing officer establishes that the school should pay for it.

Notice Format

Written in Language Understandable to the General Public

This criterion is somewhat judgmental. However, in both the notice of PREPLACEMENT EVALUATION and INITIAL PLACEMENT, as well as all other notices, it can be satisfied by bearing in mind that the general population reads, on the average, at the fifth grade level. It is also important to define or to avoid using technical terms with which the general public may be unfamiliar -- e.g., "due process" or "least restrictive environment."

### Provided in Parent's Native Language or Other Mode of Communication Used By Parents

This requirement is met by having notices available in the variety of languages commonly used by the families in the school district. For parents who cannot read the printed word or whose native language is rarely encountered, a special written or verbal translation will be necessary. If the notice is translated orally or by other means, care must be taken that parents understand the content of the notice.

## WHAT MUST CONSENT INCLUDE?

Once again, the specific situation will determine the precise content and format, but several basic requirements must be met.

## GENERAL CONSENT REQUIREMENTS*

### Content

The request for consent must contain:

| | |
|---|---|
| • A statement that parents have been fully informed of all information relevant to the proposed action. | § 300.500. |
| • A statement that parents understand and agree in writing to the proposed action. | § 300.500. |
| • A description of the activity to which parents are consenting. | § 300.500. |
| • A list of the records (if any) to be released and to whom. | § 300.500. |
| • A statement that parents understand granting consent is voluntary. | § 300.500. |
| • A statement that parents understand consent may be revoked at any time. | § 300.500. |

### Format

The request for consent must:

| | |
|---|---|
| • Be written in parents' native language or other mode of communication used by parents. | § 300.500. |
| • Provide a place where parents can indicate they do not consent. | § 300.500. |
| • Provide a place for a parent's signature. | § 300.500. |
| • Provide a place for the date. | |
| • Allow parents to retain a copy. | |

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* This list of requirements is based on the regulations for P.L. 94-142, and the legal citations refer to Title 34 of the Code of Federal Regulations. Those requirements without a legal citation are standard legal practice.

As in the case of written notice, our discussion of the written consent requirements focuses on preplacement evaluation and initial placement, the two occasions where the request for consent is required.

## Consent Content

Most of the content requirements for written consent are self-explanatory, and apply to both the preplacement evaluation and initial placement. There is only one requirement that merits further comment.

List of Records to be Released and to Whom

At the PREPLACEMENT EVALUATION stage, school personnel may need to review existing records on a child (e.g., records from schools the child previously attended or assessments done by outside agencies) to obtain additional background information. The request for consent should contain a statement that parents agree to the release of specific existing records to a designated school staff person. Parents should not be asked to consent to the release of records from the evaluation for which consent is being requested.

In the case of the INITIAL PLACEMENT, an outside agency or private school may be involved in providing services to the child, and may wish to review the results of the evaluation or other school records. When appropriate, the request for consent should contain a place where parents can agree or disagree to the release of specific records to designated school personnel for this purpose.

## Consent Format

Once again, the requirements for written consent are straightforward and self-evident, and explanation is necessary in only one instance.

**Provide a Place for a Parent's Signature**

In the case of both the PREPLACEMENT EVALUATION and INITIAL PLACEMENT, the school may proceed with one parent's (or guardian's) signature. However, providing a place for both parents (or guardians) to sign encourages joint responsibility and recognizes the equal interest and concern of both partners.

## WRITTEN NOTICE AND CONSENT: APPLYING THE BASIC REQUIREMENTS

This section will assist you in evaluating the ways in which you provide notice and request consent. Again, for illustrative purposes, the focus is on preplacement evaluation and initial placement. For each of these notification points, you will find:

- Checklists that translate the legal requirements into criteria for evaluating written notice and consent.

- Examples of how written notice and consent can be provided.

The checklists for each notification point are based on the general content and format requirements outlined and discussed on pages 26-35. They list information that must be included to satisfy the legal requirements as well as other recommended information. The legally required items encompass information required by P.L. 94-142 (indicated by the symbol ⚖ ), as well as information required by standard legal practice (indicated by the symbol 🔨 ). Using the four checklists presented here, checklists for the other occasions requiring notification could be developed.

The examples of notice and consent illustrate how the legal requirements can be translated into written materials. The numbers alongside the examples correspond to the numbered criteria in the checklists and indicate how the requirements have been met. The examples included also incorporate additional recommended content. Several samples for each notification point have been included to illustrate what options schools have in terms of style and format.

# EVALUATION NOTICE CHECKLIST

USE THIS CHECKLIST AS A GUIDE IN EVALUATING CURRENT METHODS OF PROVIDING NOTICE OF PREPLACEMENT EVALUATION AND IN GENERATING NEW OR REVISED METHODS. THIS CHECKLIST CAN ALSO SERVE AS THE BASIS FOR DEVELOPING CHECKLISTS OF CRITERIA FOR THREE OTHER REQUIRED NOTICES: NOTICE OF INTENT NOT TO EVALUATE; NOTICE OF REEVALUATION; AND NOTICE OF INTENT NOT TO REEVALUATE.

## CHECKLIST OF CRITERIA
## for
## WRITTEN NOTICE OF PREPLACEMENT EVALUATION

### Content

1. Does the notice describe the proposed activity as a full and individual evaluation of the child's educational needs? ☐
2. Does the notice indicate that the evaluation will determine whether or not the child is eligible for special education services? ☐
3. Does the notice indicate that the evaluation materials and procedures are fair and nondiscriminatory? ☐
4. Is there a description of the procedures, tests, records or reports to be used in the evaluation? ☐
5. Is there a description of the rationale for the evaluation? ☐
6. Is there a description of what options to an evaluation were considered and why those options were rejected? ☐
7. Is there a description of each evaluation procedure, test, record, or report used as a basis for the decision to evaluate? ☐
8. Is there a full explanation of all the procedural safeguards available to parents and students? These are: ☐
    - a. opportunity to examine records ___
    - b. independent educational evaluation ___
    - c. prior notice of evaluation ___
    - d. written consent to preplacement evaluation ___
    - e. prior notice of program/placement and program/placement change ___
    - f. written consent to initial placement ___
    - g. impartial due process hearing and appeal ___
    - h. fair and impartial evaluation ___
    - i. placement in the least restrictive environment ___
    - j. confidentiality of records ___
9. Is there an explanation of the procedures to be followed for parents to access their child's records? ☐
10. Is there an explanation of the circumstances under which the school will pay the cost of an independent evaluation? ☐

11. Is there a description of the special education process, including the sequence of events that will follow the granting of consent to the evaluation? ☐

12. Is there an explanation of the reasons for and importance of parental involvement in the evaluation process? ☐

13. Is there a description of the evaluation date, time, place, length and persons involved? ☐

14. Is a school contact person named or some other method suggested for parents to obtain further information? ☐

15. Are there suggestions for preparing the child for the evaluation? ☐

16. Is there an indication of how and when parents will be informed of the results of the evaluation? ☐

17. Is there a description of the special education program and the services available to handicapped students? ☐

18. Is there a list of resources parents might access for further information? ☐

19. Is a meeting to provide further information on the evaluation suggested or planned? If so, are details provided on logistics, purpose, participants, contact person, and preparation activities? ☐

20. Is there a list of activities to help parents prepare for the evaluation process so that they will be able to contribute? ☐

Format

⚖ 21. Is the notice written in language understandable to the general public? ☐

⚖ 22. Is the notice provided in the parents' native language or other mode of communication used by parents? ☐

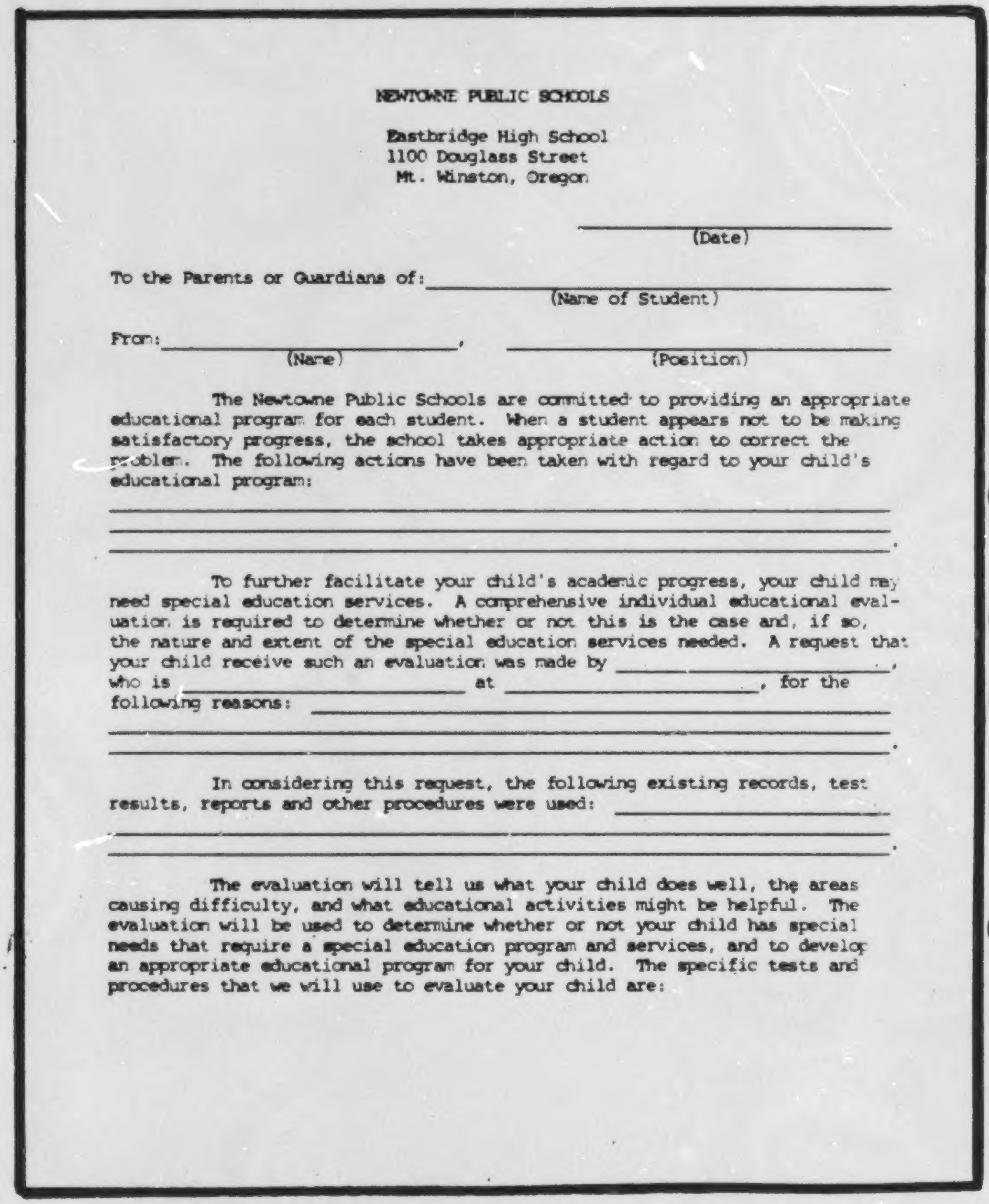
23. Does the notice indicate the school's concern for the child? ☐

24. Does the notice convey a tone that encourages parents' involvement? ☐

## NOTICE OF PREPLACEMENT EVALUATION

### Sample A

THIS NOTICE CONTAINS ALL THE REQUIRED INFORMATION WITHIN ITSELF. THE NUMBERS ON THE SIDE REFER TO THE CRITERIA IN THE PRECEDING CHECKLIST.



NEWTOWNE PUBLIC SCHOOLS

Eastbridge High School
1100 Douglass Street
Mt. Winston, Oregon

______________________________ (Date)

To the Parents or Guardians of: ______________________________ (Name of Student)

From: ______________________ (Name), ______________________ (Position)

The Newtowne Public Schools are committed to providing an appropriate educational program for each student. When a student appears not to be making satisfactory progress, the school takes appropriate action to correct the problem. The following actions have been taken with regard to your child's educational program: ⑥
________________________________________
________________________________________
________________________________________.

To further facilitate your child's academic progress, your child may need special education services. A comprehensive individual educational evaluation is required to determine whether or not this is the case and, if so, ① the nature and extent of the special education services needed. A request that your child receive such an evaluation was made by ______________________, who is ______________________ at ______________________, for the following reasons: ______________________ ⑤
________________________________________
________________________________________.

In considering this request, the following existing records, test results, reports and other procedures were used: ______________________ ⑦
________________________________________
________________________________________.

The evaluation will tell us what your child does well, the areas causing difficulty, and what educational activities might be helpful. The evaluation will be used to determine whether or not your child has special ② needs that require a special education program and services, and to develop an appropriate educational program for your child. The specific tests and procedures that we will use to evaluate your child are:

| Evaluation Area | Procedure or Test | Purpose |
|---|---|---|
| Intelligence | | |
| Academic Achievement | | |
| Language/Communication Skills | | |
| Social/Adaptive Behavior | | |
| Emotional Status | | |
| Physical/Sensory Conditions | | |
| Perceptual Motor Skills | | |

④

As you can see, our evaluation of your child will be based on many different tests and procedures. In this way, we will be sure to get a complete and balanced view of your child. All the tests and procedures to be used have been validated and will be selected and administered to assure nondiscriminatory, unbiased results. ③

The person responsible for your child's evaluation is ______________

________________________________, who is ______________________________.

In addition, the following specialists will be involved in the evaluation and/or on the evaluation team:

| Name | Role |
|---|---|
| ______________________________ | ______________________________ |
| ______________________________ | ______________________________ |
| ______________________________ | ______________________________ |
| ______________________________ | ______________________________ |
| ______________________________ | ______________________________ |

⑬

There is some other information about the evaluation process and your rights that you should know:

- Only authorized school personnel will be able to review the results of the evaluation, unless you later give permission for other persons or agencies to receive this information.
- After the evaluation, school staff will discuss the evaluation results with you and, together, we will decide on an appropriate program and placement for your child. If the results of the evaluation show that your child is eligible for special education, he/she will have an individualized education program prepared and could be enrolled in one of the following typical placements: ⑪ ⑯
    - a regular school program, with special services such as adaptive physical education or language, speech or hearing therapy; ⑰
    - a regular school program for most of the day, with some time spent with a resource specialist in a special class;
    - a special class for most of the day, with some time spent in regular school programs;
    - a non-public school, if the specialized services needed by the student are not available in our public schools.
- State and federal law have given you a number of important rights with respect to the evaluation of your child. You should know that you have the right to: ⑧
    - review and amend all your child's records (contact the school principal if you wish to do this); ⑨
    - review the tests and other procedures to be used in the evaluation;
    - bring a person of your choice with you to any meetings to discuss the evaluation;
    - refuse to consent to the evaluation, or change your mind at a later time;
    - receive written notice and give your written consent before your child is placed for the first time in a special education program;

- be fully informed of the results of the evaluation;
- have the results of an independent evaluation of your child used in making any decisions about your child's eligibility, program or placement; the school will pay for an independent evaluation under certain conditions (contact the director of pupil personnel if you wish this); ⑩
- request an impartial due process hearing if there is disagreement about any aspect of the evaluation.

In order for us to conduct the evaluation of your child, we need your written consent. PLEASE SIGN AND RETURN THE ATTACHED CONSENT FORM indicating whether or not you consent to the evaluation.

If you have questions about the evaluation or would like to arrange a meeting to discuss your child's problem and the need for an evaluation, please contact ______________________________, who is ____________________
______________________________, at the following number: ____________________. ⑭ ⑲

Thank you for your cooperation.

# NOTICE OF PREPLACEMENT EVALUATION

## Sample B

THIS NOTICE, SHORTER AND SOMEWHAT MORE PERSONALIZED THAN SAMPLE A, MAKES USE OF BROCHURES AND OTHER SUPPLEMENTARY MATERIALS TO DESCRIBE IN DETAIL CERTAIN REQUIRED INFORMATION, INCLUDING THE TESTS TO BE USED AND PARENTS' LEGAL RIGHTS. AS REQUIRED BY LAW, HOWEVER, THIS INFORMATION IS SUMMARIZED AND REFERENCE MADE TO THE ATTACHMENTS WITHIN THE NOTICE ITSELF.

GROVER PARK PUBLIC SCHOOL SYSTEM

Plains Elementary School
39 Oak Street
Fairfield, Iowa

______________________________
(Date)

Re: ______________________________
(Name of Student)

Dear ______________________________:

In the Grover Park School System, we try to make sure each child is being taught in ways best suited to his or her educational needs. In order to do this for your child, we are asking your permission to conduct a comprehensive individual evaluation of your child's educational needs. Your child was referred for an evaluation by ______________________________ ① because your child is having the following difficulties:

______________________________ ⑤
______________________________
______________________________.

In addition, the following tests and reports have indicated to us that an evaluation would be useful: ⑦

______________________________
______________________________
______________________________.

Your child has previously been involved in the following programs: ⑥

______________________________
______________________________
______________________________.

A comprehensive individual evaluation will help us determine whether or not your child's difficulties will seriously affect his/her school activities and how we can best serve your child. The evaluation will include, if necessary, tests in the following areas: general intelligence; academic performance; speech, language and communication; social and adaptive behavior; emotional status; physical health; vision and hearing; motor skills and coordination. The test materials and procedures are designed to be fair, nondiscriminatory, and valid for the purposes used. ③

We have attached a flyer entitled "The Special Education Evaluation" that describes the various tests and procedures we might use and what we expect to learn from each one. ④ It also discusses how evaluation leads into the special education process and how you can take part in the evaluation process. ⑪ ⑳ If your child has recently been evaluated by an approved agency or clinic in any of these areas we will, if you agree, use the results from your child's previous evaluation; we strive to avoid unnecessary duplication of testing whenever possible.

The person in charge of your child's evaluation will be ____________
____________________________, who is the social worker assigned to your
child's evaluation team. We will inform you later of the date, time, and
location of the evaluation. After the evaluation is completed, we will ⑯
schedule a meeting to discuss the results with you. The evaluation results
will be kept confidential.

The results of your child's evaluation may indicate that he/she is
eligible for services in one of the many different special education programs ②
our school offers. "A Parent's Introduction to Special Education," which is
enclosed, describes these different programs. ⑰

We will not place your child in a special education program without:

- conducting a comprehensive evaluation of your child;
- discussing the results of the evaluation with you;
- involving you in the development of an individualized education program for your child;
- providing you with written notice describing the placement proposed;
- obtaining your written informed consent.

Even if the results of the evaluation show that your child does not need special services, the information obtained from the evaluation will still be very useful in planning your child's regular educational program. If you disagree with the results of the evaluation, you may request an independent evaluation; results from an independent evaluation must be considered in determining your child's eligibility for special education and his/her appropriate placement and program.

As a parent, the law has given you a number of important rights. ⑧ ⑩
These rights are described in "A Parent's Introduction to Special Education."
One of your rights is to give -- or withhold -- your written permission to
an evaluation of your child. A form for this purpose is enclosed. If you
would like to set up a meeting to talk about the evaluation before signing ⑭ ⑲
the consent form, please call ________________________________________,
who is __________________________, at the following number: ____________.
You have the right to review your child's school records; the principal at ⑨
your child's school can arrange this.

Your active participation is very important in the evaluation process
and in deciding what kind of educational program is best for your child. ⑫
We look forward to working closely with you and your child.

Thank you for your cooperation.

Sincerely,

______________________________
(Name)

______________________________
(Position)

Enclosures: "The Special Education Evaluation"
"A Parent's Introduction to Special Education"

# EVALUATION CONSENT CHECKLIST

USE THIS CHECKLIST AS A GUIDE IN EVALUATING CURRENT METHODS OF REQUESTING CONSENT TO THE PREPLACEMENT EVALUATION OR IN GENERATING NEW OR REVISED METHODS.

## CHECKLIST OF CRITERIA
## for
## WRITTEN CONSENT TO PREPLACEMENT EVALUATION

### Content

⚖ 1. Does the request for consent indicate that parents have been fully informed of all information relevant to a preplacement evaluation? ☐

⚖ 2. Does the request for consent indicate that parents understand and agree in writing to the evaluation? ☐

⚖ 3. Does the request for consent describe the activity to which parents are consenting as a full and individual evaluation of the child's educational needs? ☐

⚖ 4. Does the request for consent indicate that parents understand the evaluation will determine whether or not their child is eligible for special education servives? ☐

⚖ 5. Does the request for consent indicate that parents understand and agree to the specific (if known) or general types of procedures, tests, records or reports to be used in the evaluation? ☐

⚖ 6. Does the request for consent list the records (if any) to be released and to whom? ☐

⚖ 7. Does the request for consent indicate that parents understand granting consent is voluntary? ☐

⚖ 8. Does the request for consent indicate that consent may be revoked at any time? ☐

### Format

⚖ 9. Is the request for consent written in parents' native language or mode of communication? ☐

⚖ 10. Is there a place on the request for consent where parents can indicate they do not consent? ☐

⚖ 11. Is there a place for parents' signature on the request for consent? ☐

12. Is the request for consent dated? ☐

13. Is there a system by which parents can retain a copy of the request for consent? ☐

14. Is the request for consent written in language understandable to the general public? ☐

15. Does the request for consent provide a means for parents to indicate they wish further information or an individual conference before they consent? ☐

# CONSENT TO PREPLACEMENT EVALUATION

**CATHER CITY PUBLIC SCHOOLS**

Dickens Junior High School
109 London Drive
Cather City, MD

Name of Student: ______________________ Date of Birth: __________
School: ______________________ Grade: __________

I have received the Notice of Intent to Conduct a Special Education Evaluation of my child, and have been fully informed about the purpose and nature of the evaluation, the specific types of tests and procedures to be used, and my rights as a parent. I understand that: ①

- this evaluation is a full and individual assessment of my child's educational needs; ③
- the evaluation may involve tests and other procedures in the following areas: intelligence, academic performance, health and physical sensory conditions, social/emotional status, communication, perception and motor skills, and adaptive behavior; ⑤
- the evaluation will be used to determine whether my child is eligible for special education and, if so, what special education and related services he or she needs; ④
- the information gained from this evaluation is confidential and will not be shared with any other agency without my signed consent;
- my consent for evaluation does not constitute agreement to placement in a special program, and no such placement will be made without my written consent;
- my consent for evaluation is voluntary and can be withdrawn at any time. ⑦ ⑧

---

I have checked the appropriate box(es) below:

☐* I consent to have my child evaluated for possible special education services. ②

☐* I consent to have my child evaluated but prefer that you do not use the following tests or procedures:
______________________________________
______________________________________

☐ I do not consent to have my child evaluated at this time. ⑩

☐ I would like to meet with you to discuss the evaluation before making a decision. ⑮

Comments: ______________________________________
______________________________________

______________________ __________
(Parent's Signature) (Date) ⑪ ⑫

______________________ __________
(Parent's Signature) (Date)

*IF YOU CONSENT TO THE EVALUATION, PLEASE COMPLETE THE ATTACHED SUPPLEMENTARY FORM.

# SUPPLEMENT TO PARENT CONSENT TO PREPLACEMENT EVALUATION

CATHER CITY PUBLIC SCHOOLS

Dickens Junior High School
109 London Drive
Cather City, MD

Name of Student: ____________________ Date of Birth: __________
School: ____________________ Grade: __________

My child's primary language is: ____________________.

My child normally: ☐ wears eyeglasses.

☐ wears a hearing aid.

☐ takes medication.

Other factors the evaluation team needs to consider: ____________________

____________________________________________

____________________________________________

☐ I will provide written medical records and other reports from the following professionals and/or agencies:

| | |
|---|---|
| (Professional or Agency) | (Professional or Agency) |
| (Professional or Agency) | (Professional or Agency) |

☐ I authorize authorities in the agencies listed below to release those records on my child needed to conduct the special education evaluation:

| | |
|---|---|
| (Professional or Agency) | (Professional or Agency) |
| (Professional or Agency) | (Professional or Agency) |

☐ I consent to the school's Evaluation Team using recent test results from previous evaluations conducted on my child to avoid over-testing and test duplication if the team determines the test results are current and valid.

| | |
|---|---|
| (Parent's Signature) | (Date) |
| (Parent's Signature) | (Date) |

⑥

# PLACEMENT NOTICE CHECKLIST

USE THIS CHECKLIST AS A GUIDE IN EVALUATING CURRENT METHODS OF PROVIDING NOTICE OF THE INITIAL PLACEMENT AND IN GENERATING NEW OR REVISED METHODS. THIS CHECKLIST CAN ALSO BE ADAPTED TO SERVE AS THE CHECKLIST OF CRITERIA FOR OTHER REQUIRED NOTICES: NOTICE OF INELIGIBILITY AND NONPLACEMENT; NOTICE OF CHANGE IN IEP AND/OR PLACEMENT; NOTICE OF TERMINATION OF SPECIAL EDUCATION SERVICES.

## CHECKLIST OF CRITERIA
## for
## WRITTEN NOTICE OF INITIAL PLACEMENT

### Content

⚖ 1. Does the notice describe the proposed activity as placement in a designated special education program for handicapped children? ☐

⚖ 2. Does the notice indicate that the placement was selected from a continuum of alternative placements? ☐

⚖ 3. Does the notice indicate that the placement is based on the child's individualized education program? ☐

⚖ 4. Does the notice describe the placement as in the least restrictive environment? This means: ☐

   a. to the maximum extent appropriate with children who are not handicapped ____

   b. removal from the regular educational environment occurs only when the nature or severity of handicap is such that education in the regular class with the use of supplementary aids and services cannot be achieved satisfactorily ____

   c. as close as possible to the child's home. ____

⚖ 5. Is there a description of the rationale for the placement? ☐

⚖ 6. Is there a description of any options to the proposed placement that were considered and the reasons why those options were rejected? ☐

⚖ 7. Is there a description of each evaluation procedure, test, record, or report used as a basis for the placement decision? ☐

⚖ 8. Is there a full explanation of all the procedural safeguards available to parents? These are: ☐

   a. opportunity to examine records ____
   b. independent educational evaluation ____
   c. prior notice of evaluation ____
   d. prior notice of program/placement and program/placement change ____
   e. written consent to initial placement ____
   f. impartial due process hearing and appeal ____
   g. fair and impartial evaluation ____
   h. placement in the least restrictive environment ____
   i. confidentiality of records. ____

⚖ 9. Is there an explanation of the procedures to be followed for parents to access their child's records? ☐

⚖ 10. Is there an explanation of the circumstances under which the school will pay the cost of an independent evaluation? ☐

11. Does the notice indicate what proportion of time the child will be in the regular program? ☐

12. Does the notice indicate the related services that the child needs and that will be provided? ☐

13. Is there a description of the special education process, including the provision for annual review of the placement decision? ☐

14. Is there an explanation of the reasons for and importance of parental involvement in and support of the placement decision? ☐

15. Is there a description of when placement will begin and the prerequisite entry procedures? ☐

16. Is there a statement detailing how, when, and by what means parents will be informed of the child's progress in the placement? ☐

17. Is there a special education teacher or other contact person named who can provide more information on the placement? ☐

18. Is there an opportunity provided for parents to arrange to visit the proposed placement? ☐

19. Is there a description of the various special education and related services from which the child might benefit? ☐

20. Is there a list of resources parent might access for further information? ☐

21. Is there a list of activities parents might undertake at home to assist the child in the proposed placement? ☐

**Format**

⚖ 22. Is the notice written in language understandable to the general public? ☐

⚖ 23. Is the notice provided in the parents' native language or other mode of communication used by parents? ☐

24. Does the notice indicate the school's concern for the child? ☐

25. Does the notice convey a tone that encourages parents' involvement? ☐

26. Does the notice establish that it is an important educational document that should be retained for future reference? ☐

27. Is the notice attractive and easy to read? ☐

28. Does the notice have a personal signature or other personal touch? ☐

# NOTICE OF INITIAL PLACEMENT

## Sample A

THIS CONCISE BUT COMPLETE NOTICE MAY BE APPENDED TO THE IEP OR DELIVERED AS A SEPARATE DOCUMENT. THE NUMBERS ON THE SIDE REFER TO THE REQUIRED CRITERIA IN THE PRECEDING CHECKLIST.

---

NEWTOWNE PUBLIC SCHOOLS
Eastbridge High School
1100 Douglass Street
Mt. Winston, Oregon

Student: ______________________

Date: ______________________

PLACEMENT PROPOSED:

Based on the program developed in the IEP, the following special education placement is proposed: ③

Name of Placement: ______________________ ①

Description of Placement: ______________________
______________________
______________________

Location: ______________________

Type of Instruction: ______________________
______________________
______________________

Regular Program Classes or Activities: ______________________
______________________
______________________

Percentage of Time in Regular Program: ______________________ ⑪

Related Services: ______________________ ⑫

Special Equipment and Materials: ______________________
______________________

This program and placement recommendation is based on reports from a comprehensive preplacement evaluation and the following additional procedures, tests, records, or reports: ______________________ ⑤ ⑦
______________________
______________________

The placement was selected from a continuum of alternative placements. ② The program and placement team believes this placement is the least restrictive environment for your child -- that is, as close to your child's home as possible and requiring the minimum separation of your child from the regular school program. ④

---

**OTHER PLACEMENTS AND SERVICES CONSIDERED AND REJECTED:**

| Placement/Service | Reason Rejected | |
|---|---|---|
| | | ⑥ |
| | | |
| | | |

**PARENT RIGHTS:**

Remember that parents have the following rights related to this placement decision: ⑧

- to withhold consent to placement in a special education program or withdraw consent at any time;
- to review the results of the evaluation and any other of your child's records;* ⑨
- to have an independent evaluation if you disagree with the results of the evaluation; this may be at the school's expense under certain circumstances;** ⑩
- to have the child reevaluated every 3 years, or sooner if necessary;
- to ask for an impartial due process hearing if you disagree with the proposed placement and no resolution of the dispute can be achieved in other ways.**

This placement will be reviewed annually at the time of the IEP meeting. Parents may request a review of their child's program at any time they believe satisfactory progress has not been maintained. These rights are explained in more detail in the booklet entitled "Parent Rights" that we sent you with the "Notice of Intent to Conduct a Preplacement Evaluation." ⑬ ⑯

**PLEASE SIGN AND RETURN THE ATTACHED CONSENT FORM.**

---

* For further information, contact the Principal.
** For further information, contact the Director of Special Education.

## NOTICE OF INITIAL PLACEMENT

### Sample B

THIS NOTICE IS MORE PERSONALIZED IN FORM, AND INCLUDES ADDITIONAL RECOMMENDED INFORMATION. THE NUMBERS REFER TO REQUIRED CRITERIA IN THE PRECEDING CHECKLIST.

GROVER PARK PUBLIC SCHOOLS

Plains Elementary School
39 Oak Street
Fairfield, Iowa

______________________ (Date)

Re: ______________________ (Name of Student)

Dear ______________________,

The recent comprehensive educational evaluation of your child provided the following information about his/her level of performance:

| EVALUATION AREA | PROCEDURE OR TEST |
|---|---|
| Intellectual Development | |
| Academic Performance | |
| Social/Adaptive Behavior | |
| Emotional Status | |
| Physical Health, Vision, Hearing | |
| Motor Coordination | |
| Speech, Language, and Communication Skills | |

⑤ ⑦

Based on the results of the evaluation, the Evaluation Team has determined that your child is ______________________ (Handicapping Condition) and eligible for special education services.

A Program Planning Meeting in which you were invited to participate was held on ______________________. At that meeting, we prepared
(Date)
an Individualized Education Program (IEP) that indicates the goals and objectives and the special education services your child needs. Based on the IEP, the following special education placement is proposed. ① ③

Type of Placement: ______________________

Description: ______________________
______________________
______________________

Location: ______________________

Major Educational Activities: ______________________
______________________
______________________

Proportion of Time in Regular Program: ______________________ ⑪

Related Services: ______________________ ⑫

The Placement Committee believes this is an appropriate, least restrictive environment for your child. It will allow him/her to participate in regular programs with nonhandicapped children as much as possible, and at the same time serve his/her special educational needs. Your child will be removed from the regular education program only when his/her educational needs cannot be met there. In addition, the placement proposed for your child is as close to your home as possible. ④

The following placements were also considered for your child: ② ⑥

☐ Regular classroom with supportive services

☐ Part-time special class

☐ Full-time special class

☐ Home-based services

☐ Residential center.

These were rejected because ______________________
______________________________________________
______________________________________________.

Your child will not be placed in any special education program without your written consent, and you have the right to refuse to agree to the proposed placement. You also have the right to: ⑧

- review the results of the evaluation and your child's other records (contact the principal if you wish to do this); ⑨
- have an independent evaluation conducted by an accredited agency if you disagree with the results of the evaluation (contact the Director of Special Education if you wish the school to pay for the evaluation); and ⑩
- ask for an impartial due process hearing if you disagree with the proposed placement (contact the Director of Special Education for further information).

Your child's placement will be reviewed annually. You will be invited to a meeting to discuss any changes, and will be notified in writing of any changes made at the meeting. ⑬

If you consent, your child will begin to receive special education services as of ______________________ (Date). You will be contacted ⑮
by ____________________ (Name), ______________________ (Position), regarding any necessary arrangements.

The following parent, who chairs the SPTA Special Education Subcommittee in your child's school, may be contacted for more information: ⑰

| Name | Telephone Number |
|---|---|
| ______________________ | ______________________. |

You are welcome to visit the proposed placement. Please contact the principal of the school to make arrangements or to request additional information about the placement. ⑱

A CONSENT FORM IS PROVIDED WITH THIS NOTICE. PLEASE READ IT CAREFULLY, CHECK THE APPROPRIATE BOXES, AND SIGN IT. YOU MAY RETURN THE FORM IMMEDIATELY, OR MAIL IT TO US LATER.

We have enjoyed the opportunity to work together with you to find a program where your child can learn happily and successfully, and we look forward to your continued cooperation in implementing this program. ⑭

Placement Committee:

| Name | Telephone Number |
|---|---|
| ______________________ | ______________________ |
| ______________________ | ______________________ |
| ______________________ | ______________________ |

# PLACEMENT CONSENT CHECKLIST

**USE THIS CHECKLIST AS A GUIDE TO EVALUATING CURRENT METHODS FOR REQUESTING CONSENT TO INITIAL PLACEMENT OR IN GENERATING NEW OR REVISED METHODS.**

## CHECKLIST OF CRITERIA
## for
## WRITTEN CONSENT TO INITIAL PLACEMENT

### Content

⚖ 1. Does the request for consent indicate that parents have been fully informed of all information relevant to the initial placement? ☐

⚖ 2. Does the request for consent indicate that parents understand and agree in writing to the placement? ☐

⚖ 3. Does the request for consent describe the activity to which parents are consenting as placement in a program providing special education and related services to meet the unique needs of handicapped children? ☐

⚖ 4. Does the request for consent list the records (if any) to be released and to whom? ☐

⚖ 5. Does the request for consent indicate that parents understand granting consent is voluntary? ☐

⚖ 6. Does the request for consent indicate that consent may be revoked at any time? ☐

### Format

⚖ 7. Is the request for consent written in parents' native language or other mode of communication? ☐

⚖ 8. Is there a place on the request for consent where parents can indicate they do not consent? ☐

⚖ 9. Is there a place for parents' signature on the request for consent form? ☐

🔨 10. Is the request for consent dated? ☐

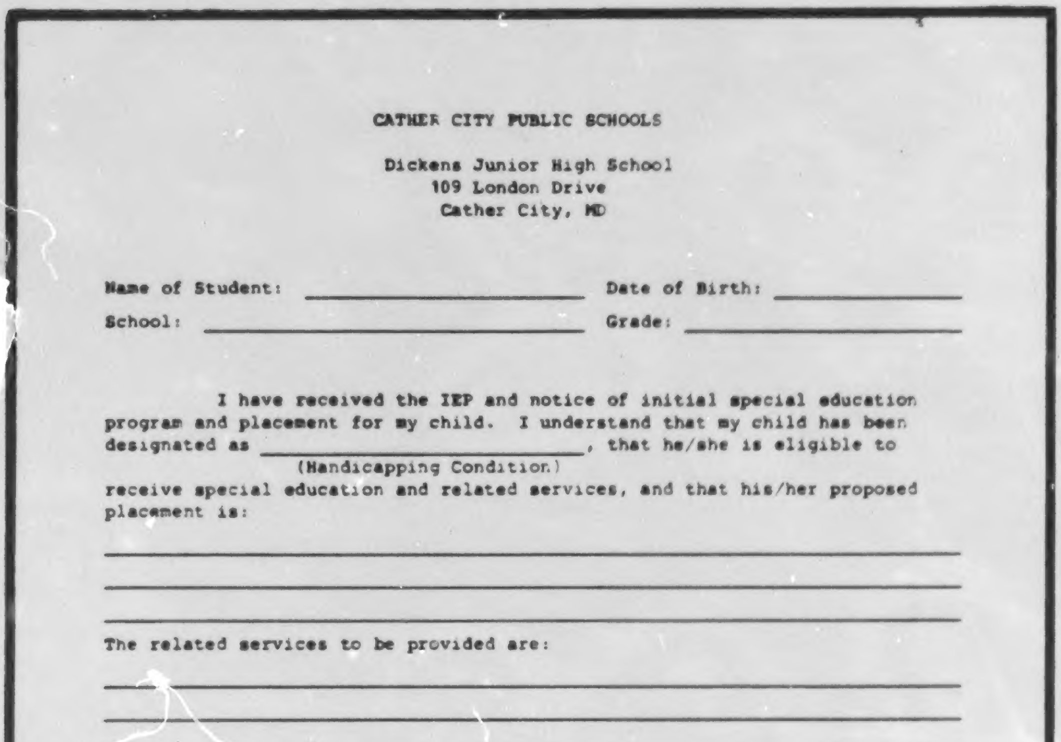
🔨 11. Is there a system by which parents can retain a copy of the request for consent? ☐

12. Is the request for consent written in language understandable to the general public? ☐

13. Do the language and tone of the request for consent convey a message that the consent decision is important? ☐

14. Does the request for consent provide a means for parents to indicate they wish further information or an individual conference before they consent? ☐

# CONSENT TO INITIAL PLACEMENT



CATHER CITY PUBLIC SCHOOLS

Dickens Junior High School
109 London Drive
Cather City, MD

**Name of Student:** ______________________ **Date of Birth:** ______________

**School:** ______________________ **Grade:** ______________

I have received the IEP and notice of initial special education program and placement for my child. I understand that my child has been designated as ______________________ (Handicapping Condition), that he/she is eligible to ①
receive special education and related services, and that his/her proposed ③
placement is:

______________________________________________

______________________________________________

______________________________________________

The related services to be provided are:

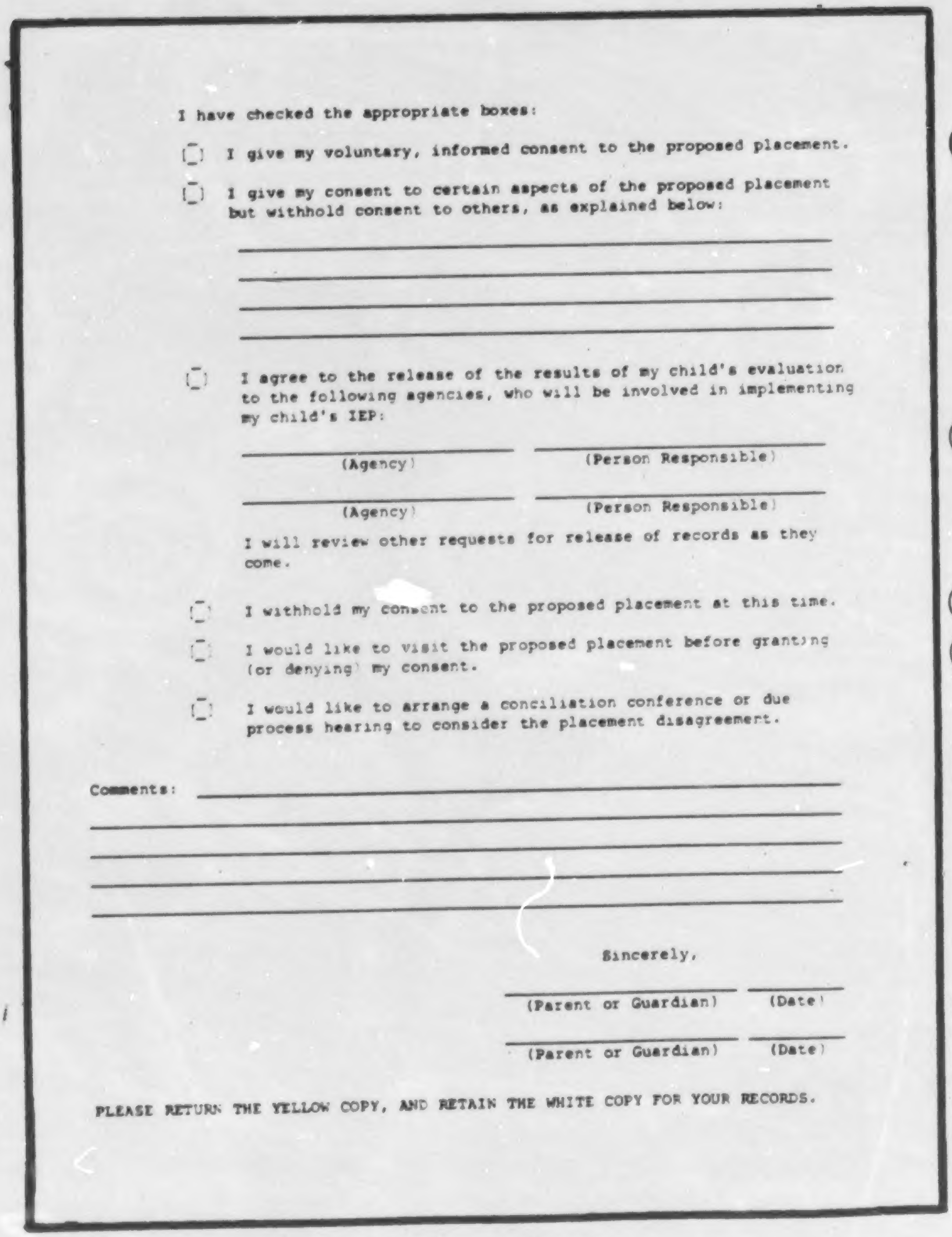
______________________________________________

______________________________________________

______________________________________________

I have been informed of the results of the evaluation and have participated in developing and/or reviewed my child's IEP. With regard to the proposed placement, I have been informed that:

- The proposed placement is based on my child's IEP and takes into consideration the results of his/her evaluation.
- The placement will be reviewed annually, and I may request a review any time I have questions about my child's educational progress.
- I will be notified in writing prior to any placement change.
- My consent is voluntary and may be revoked at any time. ⑤ ⑥
- If I disagree with the proposed placement, I may request a due process hearing or a mediation conference.



I have checked the appropriate boxes:

☐ I give my voluntary, informed consent to the proposed placement. ②

☐ I give my consent to certain aspects of the proposed placement but withhold consent to others, as explained below:

________________________________________

________________________________________

________________________________________

________________________________________

☐ I agree to the release of the results of my child's evaluation to the following agencies, who will be involved in implementing my child's IEP: ④

| | |
|---|---|
| ________________ (Agency) | ________________ (Person Responsible) |
| ________________ (Agency) | ________________ (Person Responsible) |

I will review other requests for release of records as they come.

☐ I withhold my consent to the proposed placement at this time. ⑧

☐ I would like to visit the proposed placement before granting (or denying) my consent. ⑮

☐ I would like to arrange a conciliation conference or due process hearing to consider the placement disagreement.

Comments: ____________________________________

____________________________________________

____________________________________________

____________________________________________

____________________________________________

Sincerely,

________________ (Parent or Guardian) ________ (Date) ⑨ ⑩

________________ (Parent or Guardian) ________ (Date)

PLEASE RETURN THE YELLOW COPY, AND RETAIN THE WHITE COPY FOR YOUR RECORDS. ⑪

## SUPPLEMENTING THE BASIC REQUIREMENTS

Once you have developed methods for providing the required notice and consent, you have taken a giant step toward the goal of fully informing and involving parents. Most schools find, though, that written notice and consent in and of themselves are not enough. Parents often have questions or concerns about the content of notice and consent, or want additional information. Schools need procedures for responding to these needs, as well as for encouraging and facilitating parent participation in the decision-making process.

For these reasons, most schools supplement the legal requirements by:

- using additional notices and requests for consent to keep parents informed and to document events;
- developing brochures, booklets, directories, and other supplementary written materials to clarify and amplify the information provided through notice and consent.

### TYPES OF WRITTEN NOTIFICATION

The types of written notification available vary widely in their formality and in the degree to which they are tailored to the individual and/or specific to the situation. There are, on the one hand, handwritten notes and personal letters, the most informal and individualized forms of written communication. At the other end of the spectrum are xeroxed copies of articles and printed brochures, the most formal and general forms of written communication.

FORMS OF WRITTEN NOTIFICATION

- Handwritten notes
- Personal letters
- Forms/form letters
- Memoranda
- Report cards and other reporting forms
- Minutes of meetings
- Brochures/pamphlets
- Lists/bibliographies/directories
- Reprints/copies of articles

PROS AND CONS

Viewed as a whole, written notification has both strengths and weaknesses, advantages and disadvantages.

ON THE ONE HAND, written notification is usually comprehensive. It can document events that occur, and be filed away for future reference. The preparation of written materials can be supervised by the school's most knowledgeable staff, and skilled writers and graphic artists can be used to assure the materials are clear, intelligible, and attractive. By addressing basic facts and common concerns, written materials make it possible for subsequent personal interactions to focus on issues related to a specific student and to interpret basic information in terms of a specific situation.

ON THE OTHER HAND, some written materials (e.g., directories and lists of resources) become outdated. Developing written materials takes more time than does preparing for a personal interaction. It is also more costly. Preparing brochures and pamphlets, for example, involves graphic artwork, printing, binding, and the use of quality paper. Finally, printed materials are of necessity general; they cannot address all the particular questions and concerns of each set of parents.

**SELECTING A MECHANISM**

In deciding whether or not to use additional forms of written notification to convey information and encourage parent participation, you can begin by asking yourself these basic questions:

- IS WRITTEN DOCUMENTATION REQUIRED OR USEFUL IN THIS CASE?
- IS THE INFORMATION LIKELY TO BE CONFUSING OR UPSETTING TO PARENTS IF PRESENTED IN WRITTEN FORM?
- IS THE INFORMATION TOO SENSITIVE TO BE CONVEYED IN WRITTEN FORM?

If you decide that written notification would be useful and appropriate, you must then decide what specific form that notification should take. Some considerations in making this decision are:

- IS THE INFORMATION GENERAL IN NATURE OR SPECIFIC TO A PARTICULAR STUDENT?
- IS THE INFORMATION LIKELY TO REMAIN CONSTANT OVER A PERIOD OF TIME?
- DOES THE POTENTIAL USE JUSTIFY PREPARATION OF PRINTED MATERIALS AND THEIR MASS PRODUCTION?
- WHAT STAFF AND FINANCIAL RESOURCES ARE AVAILABLE TO DEVELOP AND PRODUCE MATERIALS?

**Optional Notice and Consent**

Additional notices and requests for consent are often used by schools to supplement required notice and consent. These are most commonly used to set up parent/school meetings, report on school activities, acknowledge receipt of parental correspondence, and secure additional parent input. Many schools provide notice to parents on those occasions when it is not required -- for example, when a child is referred by a teacher for screening, or as a summary of an IEP or annual review meeting.

## OPTIONAL NOTICE AND CONSENT

**THE FOLLOWING LIST IS INCLUDED TO GIVE YOU AN IDEA OF THE RANGE OF OPTIONAL NOTICES AND REQUESTS FOR CONSENT USED BY VARIOUS SCHOOL SYSTEMS. NONE OF THESE IS REQUIRED. PICK AND CHOOSE THOSE THAT SEEM MOST APPROPRIATE AND DESIRABLE FOR YOUR SCHOOL OR DISTRICT.**

### TYPES OF OPTIONAL NOTICE AND CONSENT

#### Identification

- An invitation to parents to a prereferral meeting to discuss their child's problems
- Notice that a child is receiving non-special education intervention
- A form parents may complete to request an evaluation
- Notice of a child's referral to a screening committee
- Request for parent consent to screening
- An invitation to parents to a screening committee meeting.

#### Evaluation

- An acknowledgement of parent consent to evaluation
- A form for obtaining parents' input on their child
- A form summarizing the evaluation results
- Notice of plan for regular program modification (for children not requiring an evaluation).

### TYPES OF OPTIONAL NOTICE AND CONSENT

#### IEP/Placement

- An invitation to a program planning meeting
- A form confirming parents' attendance at the program planning meeting
- A follow-up letter to parents after the program planning meeting.

#### Review

- An invitation to the annual review
- A special education student progress report
- Notice that placement remains unchanged
- A request for parent consent to placement change or termination.

#### Reevaluation

- A request for parent consent to reevaluation
- An invitation to a reevaluation debriefing meeting.

#### General

- A form parents may complete to request an independent evaluation
- A form indicating the school's response to parents' request for an independent evaluation
- A form parents may complete to request a conciliation conference, mediation, or a due process hearing
- A form indicating the school's response to parents' request for a conciliation conference, mediation, or a due process hearing.

**Supplementary Materials**

Printed materials such as brochures, fact sheets, booklets, and directories can be prepared to supplement both required and optional notice and consent. There is a wide range of general and specific areas in which you might consider developing other written materials.

TYPES OF SUPPLEMENTARY MATERIALS

- An introduction to the district's special education program
- A description of the evaluation process
- Definitions of handicapping conditions
- A checklist for preparing for parent/school conferences
- A description of the placement process and alternative placements
- Directory of school contact persons
- Instructions for reviewing a student's records
- List of sources for an independent evaluation
- Directory of parent groups
- Suggestions for preparing for a due process hearing.

Granted, the preparation and production of such materials can be expensive. And there is always the danger that parents may be discouraged or overwhelmed by receiving a series of such materials. However, these materials have important uses and advantages that recommend their use. They can be appended to the notice, thus allowing the notice itself to be shorter, more personal, and less overwhelming. When this strategy is used, however, any required notice content must be summarized and the attachments referenced within the notice itself.

Although written notice and consent are not contracts, they are legal documents; and legal documents must be clear, complete and able to stand on their own.

Supplementary materials can also be used as appropriate -- to give to parents at a parent/school conference when particular questions or concerns arise, for example, or when parents request a due process hearing.

__IN SUM__: Written notification of parents is a major stepping stone toward the goal of providing all children with an appropriate education. There are 11 occasions when formal written notice is required, 2 when formal written consent is required, and 1 when a general public announcement is required. There are general content and format requirements for all the occasions when written notice and consent are required. These can be translated into checklists of criteria to facilitate the development, evaluation, and/or revision of techniques for providing notice and requesting consent. Optional notices and requests for consent and other written materials may be desired to supplement required notice and consent.

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## WORKSHOP ACTIVITIES

The information presented in this chapter can form the basis for two kinds of workshop sessions:

- one or more working sessions geared to those school personnel responsible for the development of written notification materials
- one or more workshops within a general series designed to convey the basic facts about notification.

Depending on which type of session is appropriate for your staff and school, you can select from the following activities.

### ACTIVITY # 1: THE BASIC REQUIREMENTS REGARDING WRITTEN NOTIFICATION

| | |
|---|---|
| Purpose: | To provide participants with a general overview of when written notice and consent are required, and what must be included |
| Time: | 45 minutes |
| Material: | • List of written notices and requests for consent used in your school district<br>• Copies of "Occasions when Notice and Consent are Required" (page 25)<br>• "General Notice Requirements" (page 27) and "General Consent Requirements" (page 33) |

Two areas where uncertainty regarding the notice and consent requirements exists are: (1) the occasions when notice and consent are required; and (2) the information that must be conveyed on each of these occasions. Any introduction to the written notification requirements must therefore begin by clarifying these general when's and what's.

1. Hand out copies of the list of "Occasions when Notice and Consent are Required," and discuss the points at which notice and consent are required and why they are necessary at these times.

2. Hand out copies of the list of notices and requests for consent currently in use in your school district. Compare this list with the list of "Occasions when Notice and Consent are Required. (The items on the two lists will probably differ somewhat in their titles, and it

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will be necessary to compare them on the basis of the occasions they represent). Note whether or not there are any required notices and/or requests for consent that your school does not currently have.

3. Hand out copies of the "General Notice Requirements" and "General Consent Requirements" and discuss why it is necessary that parents be apprised of all the information listed therein.

ACTIVITY #2: WRITTEN NOTIFICATION AT THE EVALUATION STAGE

Purpose: To familiarize participants with the requirements of the law regarding notice and consent at the evaluation stage, and to prepare staff to evaluate and, if necessary, revise existing materials based on required and recommended practices

Time: One hour

Material:
- Copies of the checklists of criteria for the preplacement evaluation notice (pages 37-38) and request for consent (page 45)
- Copies of the sample preplacement evaluation notices (pages 39-44) and requests for consent (pages 46-47)

Two notices and two requests for consent are required at the evaluation stage. This activity will equip your staff to assess the notices and requests for consent currently used by your school or district at this stage, and if necessary to develop additional ones and/or revise existing ones to incorporate all the legal requirements and any appropriate recommended items.

1. Hand out copies of the checklist of criteria for the preplacement evaluation. Compare the required content and format items with the list of general requirements discussed in the preceding activity, and talk about the purposes served by the recommended items. Which do staff feel are most important? Which, if any, appear unnecessary? Hand out the two sample notices, and analyze how the requirements of the law have been translated into content and format in the samples. Discuss how the two notices differ in terms of style and format, and which type would be more appropriate for your school or district.

2. Hand out copies of the checklist of criteria for the preplacement evaluation request for consent, and the sample request for consent. Discuss the various required and recommended items, and analyze how the requirements of the law have been translated into content and format in the sample.

3. Discuss how the checklist of criteria for preplacement evaluation notice could be adapted to serve as a checklist for a notice of intent not to conduct an evaluation. Note that the same types of information must be included in both notices. For example, both must contain an explanation of the rationale for the decision. The only difference is that one will include a rationale for the decision to evaluate, the other for the decision not to evaluate. If appropriate, assign staff to prepare a checklist for a "Notice of Intent Not to Conduct an Evaluation."

## ACTIVITY #3: NOTIFICATION AT THE IEP/PLACEMENT STAGE

Purpose: To familiarize participants with the requirements of the law regarding notice and consent at the IEP/placement stage, and to prepare staff to evaluate and, if necessary, revise existing notices and requests for consent based on required and recommended practices

Time: One hour

Material:
- Copies of the checklists of criteria for the initial placement notice (pages 48-50) and request for consent (page 56)
- Copies of the sample placement notices (pages 51-55) and request for consent (pages 57-58)

Three notices and two requests for consent are required at the IEP/placement stage. This activity will prepare your staff to assess the notices and requests for consent currently in use in your school or district at this stage and, if necessary, develop additional ones and/or revise existing ones to incorporate all the legal requirements and any appropriate recommended items.

1. Hand out copies of the checklist of criteria for the initial placement notice, and discuss the required and recommended items. Distribute copies of the two sample notices, and note how the legal requirements translate into content and format. Discuss the

differences between the two forms in terms of style and format, and which type would be most appropriate for your school or district.

2. Hand out copies of the checklist of criteria for the initial placement request for consent and the sample request for consent. Discuss the various required and recommended items, and analyze how the legal requirements have been translated into content and format in the sample.

3. Discuss how the checklist for the notice of intial placement could be adapted to serve as a checklist for a notice of nonplacement or a notice of intent not to provide a specific placement or related services. If desired, assign staff to prepare such checklists.

## ACTIVITY #4: SUPPLEMENTARY NOTIFICATION

Purpose: To familiarize participants with the ways in which required notice and consent can be supplemented with other forms of written notification

Time: 30 minutes

Material: Copies of "Optional Notice and Consent" (page 63)

Like most schools or districts, you have probably developed parent notification materials that are not required by law, but that you have found useful for parents in your area. This activity will help you reassess those materials, and perhaps come up with suggestions for different or additional supplementary materials.

1. Discuss some of the important functions that written communication can serve, and some of its disadvantages. How can a school prepare a body of written notification materials that inform parents and document events fully, but are not overwhelming to either parents or school?

2. Hand out copies of the list of "Optional Notice and Consent." Discuss which of these written materials your school or district already has, and which might be useful to have. To assist participants in deciding whether additional notices might be appropriate, you might refer to the general guidelines suggested on page 61.

3. Talk about the pros and cons of brochures, directories, and other supplementary written materials. Make a list of the supplementary materials your school or district already has, and those additional ones that would be desirable. Compare this list with the one on page 64.

NOTE: Based on the general information and procedures provided in Activities #2 and 3 above, you can prepare staff to develop checklists of criteria for the notices and requests for consent required at the review and reevaluation stages, and to evaluate and revise the materials currently existing in your school or district for these purposes.

# CHAPTER THREE

## INTERPERSONAL COMMUNICATION: ADDING THE PERSONAL TOUCH

Written notification that is carefully drafted, attractively formatted, and comprehensive in coverage goes a long way toward providing parents with the information they need to give their informed consent. However, written materials can never replace personal contact as a means of conveying concern, understanding and support. Nor can they ever provide as great an opportunity to interpret technical information and relate it to a specific student and his or her needs.

This chapter addresses some of the ways in which notice, consent, and other written materials can be supplemented with interpersonal communication. The focus is on the most complex method of interpersonal communication, the parent/school conference, and on the two stages at which this conference is most critical, evaluation and IEP/placement.

### A BIRD'S EYE VIEW OF INTERPERSONAL COMMUNICATION

As with written notification, the forms of interpersonal communication available vary widely in their formality and their degree of generality or specificity. They range from telephone calls, in which a parent and school staffperson discuss a specific event or issue, to parent/school meetings convened by the school to convey general information to a body of parents.

**FORMS OF INTERPERSONAL COMMUNICATION**

- Telephone calls
- Informal meetings
- Home visits
- Parent/teacher conferences
- Interdisciplinary meetings
- Parent classroom observations
- Disciplinary hearings
- Student/Parent/Teacher Association (SPTA) or other parent group meetings

## PROS AND CONS

Like written notification, interpersonal communication has both advantages and disadvantages.

On the one hand, personal contacts can be highly individualized. They can address specific questions related to a particular student. They can help school staff identify parental concerns, and provide an opportunity to respond immediately to questions and problem situations. They can facilitate the active involvement of parents, and form the basis for a close rapport and working relationship with parents.

On the other hand, personal contacts often provide no permanent record. Moreover, the success of such interactions depends on the skill of the individuals involved, and the information shared may not always be accurate or clearly expressed. School staff vary in both the extent of their professional knowledge and their ability to convey that knowledge, and extemporaneous remarks cannot always be reviewed in advance for appropriateness.

## SELECTING A MECHANISM

Whether interpersonal communication should be used, and if so what form, are decisions left entirely to schools. In making these decisions, it is helpful to ask the following questions:

WHO IS THE PARTICULAR FAMILY INVOLVED?

HOW EASILY CAN THE PARENTS GET TO MEETINGS AT SCHOOL?

WHAT HAS BEEN THE SCHOOL'S RELATIONSHIP WITH THESE PARENTS IN THE PAST?

HOW EMOTIONALLY AND INTELLECTUALLY PREPARED ARE THE PARENTS TO DEAL WITH THIS INFORMATION?

HOW IS THE SCHOOL PERCEIVED IN THE COMMUNITY OR CULTURE IN WHICH THE FAMILY LIVES?

Depending on the answers to these questions, a school might decide to forward a written notice in the mail, telephoning parents to alert them before its arrival. Or, the school might deem it wiser to deliver the notice within the context of a home visit or parent/teacher meeting.

## THE PARENT/SCHOOL CONFERENCE

To give truly informed consent, parents often need more than written notification. Printed materials may not adequately address the questions and concerns that arise when parents must make important educational decisions for their child. The significant amount of new and complex information presented at such times regarding parent rights, the proposed action, and the significance of the decision to be made can be technical, confusing, sensitive and difficult for parents to assimilate fully on their own. Clarifying certain points of information can be critical to parents' making a responsible decision about their child's future education.

The parent/school conference is an ideal way to share such information, discuss questions and concerns, and lay the groundwork for a positive parent/school relationship. For these reasons, it is given major emphasis here.

### Agenda/Checklist

One effective way to structure parent/school conferences is through the use of agenda/checklists such as those discussed later in this chapter. Agenda/checklists facilitate the presentation of pertinent information, and provide an accurate record of the exchange between parents and school. They can incorporate general information, information to meet the notice and consent requirements, and information to respond to common parent concerns. In addition, preparatory activities can be indicated, and space allowed for noting information gleaned or concerns expressed by parents at the meeting. Cover sheets can provide identifying information about the particular case, summarize the meeting, and document the outcome.

Like the parent/school conference itself, the agenda/checklist is an optional--but recommended--procedure. Used properly, it can help you cover the points of notification required by law, and at the same time meet the additional information needs of parents.

### Common Questions and Concerns

The specific questions and concerns parents may have about what the school is proposing depend on the parents, child, school, and circumstances. However, certain concerns are common among many parents at particular points in the special education planning process. Most often, these concerns surface at a parent/school conference, and it is important for school personnel to respond fully and appropriately.

To assist you in this task, lists of questions and concerns that commonly arise at the evaluation and IEP/placement stages have been compiled, along with examples of effective responses to these questions. You, of course, will want to add to these lists those questions and concerns that frequently arise among parents in your community and responses that you have found helpful.

## FOCUS ON: INTERPERSONAL COMMUNICATION AT THE EVALUATION STAGE

The evaluation stage comprises the series of events through which parents are informed that their child has learning problems serious enough to warrant a comprehensive, individual educational evaluation--one outcome of which might be designation as a handicapped student and placement in a special education program. The overall purpose of the evaluation is to gather information about the child from many different points of view in order to determine whether the child's difficulty in school is the result of a disability and, if so, what special services are needed for him or her to be more successful.

### SIGNIFICANCE

The evaluation stage clearly has great significance for a handicapped child, since it lays the groundwork for identifying and meeting his or her special educational needs. This stage also has special meaning for the parents of a special needs student, and for their relationship with the school.

### Emotional

In many cases, the letter, phone call, or meeting through which parents are first informed of the school's intent to evaluate their child may be the parents' first formal contact with the special education process. The knowledge that their child may need special education services is likely to have a profound impact on parents. Even if parents have been aware of the child's problems and have discussed these with the school previously, the actual formal notice may still cause concern. To schools, this notice may be a routine matter; to parents, it is not at all routine.

### Informational

From this point on, parents will be receiving information of many kinds--about tests their child will be given and the results of those tests; about their child's particular disability and its consequences for the child's future; about the special programs and services that will best serve their child; about their legal rights and those of their child. For some parents, this information may seem technical or difficult to understand. Yet parents must understand this information if they are to decide what is best for their child. In terms of parents' ability to accept and assimilate new knowledge, then, the evaluation stage is critical.

### Interpersonal

Because it occurs so early in the special education planning process, the evaluation stage sets the tone for future interactions between parents and school. It offers school personnel the opportunity to initiate a two-way, cooperative relationship with parents, to create an atmosphere where facts and feelings can be explored openly and decisions made jointly, and in these ways to lay the groundwork for a mutually satisfying and productive relationship in the future.

## PARENT REACTIONS

Parents may react in different ways to the news that the school wants to evaluate their child for possible eligibility for special education. They may feel...

...APPRECIATIVE for what the school is doing for their child;

...ANGRY OR DEFENSIVE, mistrusting the school to act in the child's best interests;

...GUILTY that they are somehow to blame for their child's problems;

...SUPPORTIVE of the school's efforts to determine what educational program is appropriate for their child;

...UNACCEPTING of the fact that their child may need special help;

...RELIEVED that the school has recognized their child's problems and is taking action;

...UNCERTAIN about how to assume their responsibilities in the special education process.

Many factors may affect how parents react: how parents view their own role as parents; how they feel about their child and what expectations they have for him or her; what their educational and/or intelligence levels are; whether there are language or cultural barriers between parents and school; what else is going on in the family at that moment.

Another major influence on parents' reactions to the evaluation notice is the nature of their previous contacts with the school, whether these have been on-going, pleasant, and productive...or few and far between, unpleasant, and disappointing. Especially important is the extent to which parents have been previously apprised of their child's school performance.

### SCHOOL RESPONSES

Different reactions by parents require different responses on your part. How you approach and respond to parents at this stage will tell them whether or not you are interested in their child, sympathetic to their concerns, and open to their ideas and opinions.

Complete and sympathetic communication with parents can prevent many later hours of frustration, mistrust and antagonism. It can determine whether parents see you and themselves as allies--or adversaries.

**INFORMATION SHARED**

The decision as to whether or not a particular child should undergo a comprehensive educational evaluation must be made jointly by you and the child's parents. In making this decision, both you and the parents have information to contribute and information to collect.

Some of the information that follows is required in the written notice of evaluation; some may be presented in other written materials. In both cases, personal contacts can serve to reiterate, clarify, or pave the way for this information.

Other information, such as examples of specific test questions, is most appropriately introduced during interpersonal exchanges.

## INFORMATION SHARED DURING THE EVALUATION STAGE

### THE NATURE OF THE CHILD'S EDUCATIONAL PROBLEMS AND NEEDS

Information Provided by School:

- Who referred the child
- Problems or circumstances that led to the child's referral
- Tests, records, reports or other procedures that support the referral
- Educational actions already undertaken to assist the child
- Educational activities or procedures that might still be instituted but don't require an individual evaluation
- What will happen to the child if parental consent to evaluation is withheld
- School's perception of child's problem
- What special programs might be appropriate for the child.

Information Provided by Parents:

- Child's educational history
- Child's medical and developmental history
- Child's behavior at home -- e.g., sibling relationships; language and communication skills; work habits; motivation, attention, and persistence; self-care
- Child's neighborhood and other social relationships
- Child's work history
- Child's general attitude, personal interests, and non-academic skills
- Parents' perception of child's problem
- Child's perception of his/her difficulty.

### THE NATURE OF THE EDUCATIONAL ACTION, PROGRAM OR SERVICE PROPOSED

Information Provided by School:

- The tests, records, reports, and other procedures that will be used to evaluate the child, and the purpose of each
- When and where the evaluation session(s) will be held and how long each session will last
- Who will supervise the evaluation
- How parents can prepare the child for the evaluation.

## INFORMATION SHARED DURING THE EVALUATION STAGE

### Information Provided by Parents:

- How the child may behave during an individual comprehensive evaluation
- Tests or other procedures that parents would like added to the evaluation
- Tests or other procedures that parents would like dropped from the evaluation.

## THE SPECIAL EDUCATION PLANNING PROCESS

### Information Provided by School:

- What happens while the child waits for the evaluation
- What happens to the child after the evaluation
- When and how parents will find out about the results of the evaluation
- What programs and services are available in the school district for children with special needs.

### Information Provided by Parents:

- General role parents wish to play in the planning process
- Activities that might help parents perform their desired role
- Specific points at which parents wish to be involved
- Extent of knowledge about and attitudes toward special education.

## PARENT/CHILD RIGHTS AND PROCEDURAL SAFEGUARDS

### Information Provided by School:

- Parents' rights to review the child's records
- Parents' right to withhold consent to the evaluation or withdraw it at a later time
- Parents' right to request an independent educational evaluation
- Parents' right to request a due process hearing
- Child's right to a fair and impartial evaluation
- Child's right to placement in the least restrictive environment
- Confidentiality of the child's records.

## INFORMATION SHARED DURING THE EVALUATION STAGE

**Information Provided by Parents:**

- Whether parents grant or withhold consent to the evaluation and why
- Whether parents accept the results of the evaluation or want a second independent evaluation and why
- Whether parents consent to the release of the child's records.

## LOGISTICS AND OTHER INFORMATION TO FACILITATE PARENT INVOLVEMENT IN THE DECISION-MAKING PROCESS

**Information Provided by School:**

- Name and phone number of a school contact person
- Time and location of meeting(s) to discuss the need for evaluation and/or the evaluation results.

**Information Provided by Parents:**

- What assistance parents need in order to become informed and participate in the decision-making process (e.g., interpreter, child care, transportation).

## RESOURCES AVAILABLE OUTSIDE THE SCHOOL

**Information Provided by School:**

- Names of other parents who are willing to talk to parents of students with similar needs
- Names of parent advocacy and support groups
- Sources of an independent evaluation.

**Information Provided by Parents:**

- Names of individuals and clinics that have previously conducted evaluations or other diagnostic procedures on their child.

**ALTERNATIVE MECHANISMS**

Although schools may use a range of interpersonal communication mechanisms to share information and address parent concerns about the preplacement evaluation, two are most common.

Telephone Calls

Many schools telephone parents to notify them that the evaluation notice and request for consent are being mailed, or to invite them to a meeting to discuss their child's problems (at which time the notice and request for consent are presented). Alerting parents in this way is strongly recommended. Parents who are unprepared may be overwhelmed by the description in the notice of the evaluation procedures, or disturbed by the legal terms used. They may be upset that their child is having problems so serious that he or she may be "eligible for special education," and fearful that he or she is "disturbed."

When previous personal contact between parents and school has been limited, especially, notice and request for consent may have an effect quite opposite to that intended. Rather than communicating concern for the child and respect for the parents, the notice and request for consent may convey formality, technicality, and bureaucracy. If parents are informed by telephone that a notice and request for consent are being sent, and the purpose of these procedures and of the evaluation explained, many anxieties can be averted or alleviated.

Parent/School Conferences

An additional opportunity for exploring and resolving parent questions and concerns exists at parent/school conferences. Although many parents are willing to consent to the preplacement evaluation without meeting with school staff, this procedure can cause problems in the future. Parents who sign forms without fully understanding them often have concerns that surface at a later time.

One effective practice is to have parents attend a conference at which the evaluation process is discussed and present the request for consent at the end of that meeting. Parents can either grant consent at that time, or after they have had time to think about it.

**Agenda/Checklist**

To assure that all important information items are covered at a parent/school conference, an agenda/checklist can be prepared for use by the person conducting the meeting. At an evaluation notification meeting, this agenda/checklist might include seven major topics.

### AGENDA/CHECKLIST FOR AN EVALUATION NOTIFICATION MEETING

#### Outline of Content

1. Welcome
    a. Appreciation for parents' attendance
    b. Solicitation of parent questions and comments
2. Orientation
    a. Meeting agenda
    b. Introduction of staff
3. Rationale for Evaluation
    a. General purpose and benefits
    b. Specific reasons for referral, including student's level of performance and previous attempts to help student
4. Possible Outcomes
    a. Eligibility
    b. Special education programs and services available
5. Description of Evaluation
    a. Various tests and procedures involved
    b. Examples of instruments and their purpose
    c. Logistics, including who will administer the evaluation, how long it will take, and how parents will learn about the results
6. Parents' Role and Rights
    a. Importance of parents' role
    b. Specific suggestions and logistics for parental involvement
    c. Parents' rights
7. Conclusion
    a. Review of meeting
    b. Presentation of request for consent
    c. Name of school contact person who can answer further questions
    d. Date and location of evaluation (if known) or how parents will be notified of time and place

# AGENDA/CHECKLIST FOR AN EVALUATION NOTIFICATION MEETING

## Sample Cover Sheet

AGENDA/CHECKLIST
for
AN EVALUATION NOTIFICATION MEETING

Student's Name: ____________________

Date: ____________________

Classroom Teacher: ____________________

Evaluation Coordinator: ____________________

SUMMARY OF MEETING:

- ____Reasons for referral and evaluation presented
- ____Possible outcomes discussed
- ____Evaluation described
- ____Parents' role and rights explained

ACTION TAKEN:

- ____Consent presented
- ____Consent explained
- ____Consent postponed:
  - Until ____________________
  - Reason ____________________
- ____Consent granted
- ____Consent denied:
  - Reason ____________________

FURTHER ACTION TO BE TAKEN BY TEACHER:

MATERIALS PROVIDED:

ADDITIONAL MEETINGS SCHEDULED:

| PARTICIPANTS: | RELATIONSHIP TO STUDENT: |
|---|---|
| ____________________ | ____________________ |
| ____________________ | ____________________ |
| ____________________ | ____________________ |

## AGENDA/CHECKLIST FOR AN EVALUATION NOTIFICATION MEETING

### Sample Page

Student's Name___________________________

Date___________________________

| Agenda Item | Information to Convey | Done | Preparations to Make | Done | Notes |
|---|---|---|---|---|---|
| DESCRIPTION OF EVALUATION | 17. Variety of evaluation methods:<br>• school performance<br>• teacher recommendations<br>• adaptive behavior<br>• information from parents. | ___ |  |  |  |
|  | 18. Examples of instruments and explanation of what they measure. | ___ | Bring samples of assessment tools. | ___ |  |
|  | 19. Who will administer the evaluation. | ___ | Find out who will conduct tests. | ___ |  |
|  | 20. Length of evaluation process. | ___ | Find out number and length of sessions. | ___ |  |
|  | 21. When and how parents will learn results. | ___ | Prepare timeline. | ___ |  |

## RESPONDING TO COMMON QUESTIONS AND CONCERNS

At the evaluation stage, parental concern is most frequently the result of misunderstanding about the reasons for the evaluation or about special education in general. In the first case, complete and accurate information can be provided and parental anxieties usually allayed by following an agenda/checklist. In the second case, it becomes even more important to listen actively and sympathetically and to elicit the real reasons why parents are concerned or reluctant to grant consent. Often, their resistance is due to one of three reasons.

### Past Experience

When parents have had a previous experience with special education that was unpleasant, it is best to acknowledge what parents have to say and admit that they may be right. Rather than attempting to justify what happened in the past, a more effective strategy is to focus on the programs currently available, emphasizing that if special education appears justified, parents and school together will determine an appropriate program and placement for the child. Parents can be reminded, too, that their child will not be placed in any special program without their written consent.

### Stigma

Special education has had, and often still has, a stigma associating it with poor quality and segregated programs for students whom regular teachers want out of their classrooms. Schools can respond to parental concerns about this stigma by pointing out how special education has changed, describing the new and different programs that exist, and stressing the benefits a student may derive from a carefully designed special program.

Another parent can often be even more effective in addressing parents' concerns about special education. Parents are more likely to consider the possibility of special education if they know that others have benefitted and been satisfied with the results. The school may therefore wish to provide the name of a parent who has consented to discuss his/her experiences with other parents, or the name of a contact person in a parent advocacy group.

Finally, schools that do good public relations work regarding their special education programs usually succeed in building the reputation of a special education program within the community and reducing the stigma associated with it.

**Denial**

Parents who believe their child's problem is not serious enough to warrant special education may claim their child is just lazy or a little slow or mischievious. The teacher is too tough, won't push the child to work hard, or doesn't help the child enough. In this case, the best initial strategy may be to give parents the benefit of the doubt and build their trust in the school's desire to do what is best for their child. Changing a child's teacher or having that teacher give more time and attention to the child may prove the parent's or the school's point -- provided, of course, that school staff are prepared to try these options and are not threatened by their suggestion.

Meanwhile, the school should continue to work with the parents to help them recognize, understand, and accept their child's educational problems. Having parents observe the child in school, presenting examples of the child's school work and class tests, and comparing these with typical work done by other children are all helpful. So is providing parents with a guide to help them evaluate their child at home and compare this with the school's evaluation. And, if several teachers or school personnel comment on the student's work in different settings and at different times, reluctant parents may begin to understand that it's not one particular teacher or activity that's causing difficulty, but a consistent and persistent problem that needs attention.

Finally, parents should be reminded that the evaluation is designed to find out more precisely what a student's problems are and how his/her needs can best be met. While it may lead to a special education placement, it may not. Reminding parents they have an opportunity to obtain a second, independent evaluation if they are dissatisfied with any of the school's findings may reduce resistance. Alternatively, parents might accept an initial evaluation conducted by a clinic external to the school. Giving reluctant parents a choice of evaluation opportunities shows the school is open to parent concerns and willing to accept other outside information.

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
## AT
## EVALUATION NOTIFICATION MEETINGS

### Introduction of Staff

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| Why is there a psychologist present? How serious is this? | Just because a psychologist is present does not necessarily mean your child had a serious problem. We invited specialists to the meeting because we thought you would like to meet some of the different staff who will be evaluating your child. If you have questions about a specific test to be administered to your child, it helps to have the person responsible for that test answer your questions.<br>The psychologist will administer tests of general intelligence and tests to determine how your child thinks, learns best, solves problems, and perceives information. The psychologist will also talk with your child about how he or she feels about school and how he or she gets along with other students. |

### Reason for Evaluation

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| Has my child been bad? Is he/she being punished for not doing well in school? | No, we don't think your child is bad. But we are concerned about his/her progress and behavior in school. Sometimes, children act inappropriately in school because they feel frustrated with their school work or feel pressured. The evaluation is not a punishment; it's a way of discovering more about your child so we can provide a more appropriate program. |

# SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
# AT
# EVALUATION NOTIFICATION MEETINGS

## Reason for Evaluation

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| Why haven't I noticed a problem at home? | At home, your child is required to do different types of tasks under different conditions than at school. Performing chores, for example, requires very different skills than reading, writing, or taking a test. |
| My child simply isn't working hard enough. He/she is lazy and needs to be pushed. | We'd like to see if there are other reasons why your child isn't learning. Sometimes a student who has learning problems gets frustrated, loses motivation, and seems lazy when that's not the real problem. |
| Won't the evaluation just emphasize the fact that my child is doing poorly, and make him/her feel even worse? | The staff who will administer the evaluation are trained to be very understanding and supportive. They will assure your child that the tests will not affect his/her grades, and will not be used to show how badly he/she does. Instead, they will emphasize how the tests will help your child. |

## Possible Outcomes

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| Is something seriously wrong with my child? Will he/she ever be able to get a job or lead a normal life? | We won't really know how serious the problem is until we review the results of the evaluation. The important thing to remember is that once we find out what the problem is, we'll work to remediate it. |

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
## AT
## EVALUATION NOTIFICATION MEETINGS

### Possible Outcomes

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| Will the evaluation result in my child being labelled as handicapped? | The evaluation will determine whether or not your child has a problem that seriously affects his/her educational performance, meets the legal definition of a handicap, and makes him or her eligible for special education. Remember, though, that the legal definition of a handicap for purposes of special education may not correspond with what many people commonly consider a handicap. |
| If my child is labelled as handicapped, what will that mean? | We won't know until we review the results of the evaluation. Using those results, other information we have on your child, and your input, we'll develop an individualized education program for your child. We will recommend a placement based on this program, and you will have the right to consent or refuse consent to this placement. |
| How long would my child be in special education? | Special education placement isn't necessarily permanent. It will be reviewed yearly -- and more often if deemed necessary. Your child would remain in a special education program as long as he/she needs it and you consent to it. |

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
## AT
## EVALUATION NOTIFICATION MEETINGS

### Description of Evaluation

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| I've heard IQ tests are prejudiced against minorities. How can I be sure the evaluation is fair to my child? | IQ tests used to contain many items that children or young people in some cultures or socio-economic levels answered differently and therefore incorrectly. This was unfair. Now, most of those items have been dropped from the tests or have been rescored. Also, many commonly used IQ tests have separate standardized scores for minority groups. So IQ tests are not as biased as they once were.<br>Furthermore, the evaluation will include an assessment of your child's performance in many areas, not just intelligence. For example, we look at school performance, peer relations, teacher recommendations, adaptive behavior, and information you give us about the child at home. If you think the results of the school's evaluation are still incomplete or incorrect, you have the right to request an independent evaluation. |
| Who will do the evaluation? | Tests are given by professionals who know how to motivate students and encourage their best responses. [If the family is minority, discuss use of minority personnel in the evaluation]. |
| How long will all this take? | [Present time-line for special education process. Include steps for notifying parents when evaluation is completed. Set tentative date when you'll meet with parents again]. |

# SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
# AT
# EVALUATION NOTIFICATION MEETINGS

## Parents' Role and Rights

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| What can I do? | One of the most important things you can do is provide us with educational and other background information on your child. It's important for us to know the whole child, not just the 'school' child. In addition, you can reassure your child and encourage him/her to do his/her best work but not feel pressured or anxious during the evaluation. |
| What should I tell my child is happening? | You can describe what the tests will involve, and explain that they are being given to find out what kind of help the child needs. Emphasize that the evaluation should lead to more successful and satisfying school experiences. |
| How do I know the school is doing the right thing for my child? And what can I do if I don't think they are? | [Explain the procedural safeguards of the law: written consent to evaluation; parent involvement in developing an IEP; least restrictive environment; written consent to placement; opportunity for an independent evaluation; annual review of placement; reevaluation at least every 3 years; due process hearing]. |

# SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
# AT
# EVALUATION NOTIFICATION MEETINGS

## Conclusion

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| What am I getting into by signing this? | Your consent will allow us to proceed with the evaluation. Remember, we can't be sure what type of a special placement is necessary — or even if one is warranted -- until we complete an assessment. Remember, too, that no placement will be made without your written approval. Even if you think you don't want your child in a special education program, the results of the evaluation will still be very useful to his/her regular teachers in instructing your child and making his/her school situation more satisfactory.<br>[If parents are hesitant to consent, give them time to consider their decision and suggest persons to talk with.] |

## FOCUS ON: INTERPERSONAL COMMUNICATION AT THE IEP AND PLACEMENT STAGES

Legally and conceptually, the IEP and placement stages are separate. However, because here is such a close sequential and developmental relationship between these stages, they are considered together here. The ultimate goals of the IEP and placement stages are to develop an individualized education program and decide on an appropriate placement (based on the IEP) for a handicapped child.

### SIGNIFICANCE

The IEP and placement stages are significant for their extensive and detailed exchanges of information, multiple parent/school interactions, and critical decision-making points. The discussion of outcomes of the evaluation process presents parents with an array of test scores, observations, and other technical information on their child's educational strengths, weaknesses, and needs. This information must be comprehended not only in and of itself, but also in terms of its implications for decisions related to the child's eligibility for special education, classification, program goals and objectives, and special education placement and services.

#### Interpreting Test Scores

Interpreting test results to parents in a clear and meaningful way can be a challenge to school personnel. Parents may be overwhelmed or upset by the school's findings or interpretations. Some may cope with their anxiety by reacting defensively. Others may be concerned about the confidentiality of test results. And the issue of the child's classification is often a controversial one.

Explaining fully the purpose and significance of test scores is important to prevent parental misconceptions about what a test does and does not measure, what it reveals about the student, and how reliable and accurate it is. By putting test scores into perspective, school staff help ensure that parents are neither unduly optimistic nor pessimistic about their child's needs, and that they are prepared to help develop and accept an appropriate educational program and placement for their child.

**Developing an IEP**

The IEP is the most important document related to a handicapped child's education because it defines what a free, appropriate public education is for that child. It is the key to that child's educational program, clarifying not only what educational programs and services the child will receive, but also how these programs and services will assist the child and enhance his/her behavioral and developmental growth. The comprehensive nature of the IEP means that parents must assimilate still more new technical information.

Dialogue between parents and school staff is important during the development of the IEP because this is an area where parents may have much to contribute -- about their child, about their perception of his/her social and academic abilities, interests and needs, about the educational goals they believe are most important, and about methods they have used to help their child learn or manage his/her behavior. Sometimes parents and school staff may differ somewhat in their values. There may be, for example, disagreement about the emphasis on academic versus vocational goals. But the importance of the IEP document necessitates that parents and school work out their differences until a point of mutual satisfaction is reached. Only after the IEP is developed can a final decision regarding an appropriate placement be made.

**Selecting a Placement**

The selection of a special education placement for a handicapped child is guided by the two broad principles of "appropriate" and "least restrictive." Deciding exactly what constitutes an "appropriate" and "least restrictive" placement for a particular student involves complex questions of judgment; therefore, this process calls for careful consideration by both parents and school.

**PARENT REACTIONS**

Accepting the need for a special placement for their child can be difficult for parents. Reactions of parents to the knowledge that their child can no longer succeed without a special education program may range from grudging acceptance of a fact that was suspected for some time to shock and dismay. Some parents may have been able to face their child's disability as long as he or she was in a regular class; but now, it may seem to them, the whole world is about to learn that something is wrong with their child.

Others may feel that special education carries a stigma that may have negative consequences for their child. Or they may be concerned about their child's separation from old friends and classmates, or what the other children in the special education placement will be like. In some cases, there may be practical problems or considerations to deal with, such as cost, distance, or transportation.

SCHOOL RESPONSES

For these and other reasons, it is important that parents have an opportunity to learn all they can about the placement proposed for their child and become comfortable with it -- by asking questions, obtaining additional information, talking with others, and visiting possible placements.

How smoothly this stage proceeds will depend in part on what has happened earlier in the special education planning process. If parents have been prepared to understand and accept their child's needs, and if an open and cooperative relationship between parents and school has been established, then it will be easier for parents to make the final decision about their child's special placement.

**INFORMATION SHARED**

During both the IEP and placement stages, parents may have many expressed or implied questions or concerns about the technical information with which they are presented and the important decisions they must make. You and other school staff, in turn, need the input of parents in order to propose an appropriate educational program and placement for the child. Once again, some of this information is required in the written notice, and some may be conveyed in other written materials. Interpersonal communication can serve to amplify and interpret information that has already been presented, as well as to introduce new information.

## INFORMATION SHARED DURING THE IEP AND PLACEMENT STAGES

### THE NATURE OF THE STUDENT'S EDUCATIONAL PROBLEMS AND NEEDS

Information Provided by School:

- Specific characteristics or behaviors measured by the evaluation tests and procedures
- How the various scores relate to each other
- What factors might have caused the child to receive these scores
- How the child's test scores compare with those of other children in the same grade, and with scores received on previous tests
- What the scores mean in terms of predicting future behavior, educational progress, and long-term potential
- What the results indicate are the child's educational strengths and weaknesses
- What specific situations cause the child most difficulty
- What the child's special education classification is and what it means
- What evaluation results led to the suggestion of this particular classification.

Information Provided by Parents:

- Observations made of the child at home that support or conflict with the evaluation results
- Additional information from medical, educational and other family records.

### THE NATURE OF THE EDUCATIONAL ACTION, PROGRAM OR SERVICE TO BE PROVIDED

Information Provided by School:

- The purpose, content and use of the IEP document
- Recommended goals and objectives for the child's IEP
- Support services that will be needed to facilitate progress in each objective
- Who will be responsible for each service; when, where and for how long it will be provided; what each service will include

- Based on the IEP, what placement seems appropriate for the child and why
- How the proposed placement meets the child's particular educational needs, including: teaching methods, curriculum, and instructional materials; intensive individual or small group instruction, specifically-trained teacher(s) and specialists
- The educational goals and objectives emphasized in the proposed placement, including: general philosophy and approach; academic demands; relative balance between academic achievement, social adjustment, and career preparation
- How much the child will miss of the regular program, and how this loss will be made up
- The climate of the proposed special class placement, including: what the other children in the placement are like; how the class is a warm supportive place; precautions that will be taken to ensure the child is not rejected or isolated socially, or frustrated and pressured academically
- The least restrictiveness of the proposed placement, including: how much time the child will spend with nonhandicapped students, when, and for what activities; the proximity of the child's classes to those of nonhandicapped students; the ratio of handicapped to nonhandicapped children in the special placement and in the building; the accessibility of other classrooms and school facilities to the child
- Any special practical considerations or problems the proposed placement presents, including: distance from the child's home; how the child will get there and how long it will take; transportation to be provided; any additional costs to parents.

Information Provided by Parents:

- Feelings about the IEP goals and objectives suggested by the school
- Additional goals and objectives for the child's IEP
- Specific instructional approaches, equipment, materials, or teachers to be part of the child's IEP
- Preferences regarding the emphasis on academic, social, and vocational areas in the IEP
- Support services desired for the child

- **Educational approaches and activities the parents have tried successfully with the child**

- Preferences regarding the appropriate placement for the child.

### THE SPECIAL EDUCATION PROCESS

Information Provided by School:

- When the IEP and placement will be reviewed

- The continuum of programs and services the school system offers for handicapped children

- When the child will be reevaluated to determine whether he/she is still eligible for special education.

Information Provided by Parents:

- What future role parents wish to play in the special education decision-making process

- The extent to which parents can assist the child in his/her school program at home.

### PARENT AND STUDENT RIGHTS AND PROCEDURAL SAFEGUARDS

Information Provided by School:

- The child's right to receive a free, appropriate public education in the least restrictive environment, and what this means

- The child's right to have all school programs and facilities accessible to him or her

- The child's right to have records kept confidential

- Parents' right to an independent educational evaluation

- Parents' right to examine all records and evaluation results used to determine the child's placement

- Parents' right to a due process hearing

- Parents' right to withhold consent to the placement, or to revoke it at a later time.

**Information Provided by Parents:**

- Whether they wish an independent evaluation
- Whether they want a copy of the IEP document
- Whether they grant or withhold consent to the placement, and why
- If parents disagree with eligibility, IEP, or placement, what further action they intend to pursue.

### LOGISTICS AND OTHER INFORMATION TO FACILITATE PARENT INVOLVEMENT IN THE DECISION-MAKING PROCESS

Information Provided by School:

- Date, time, participants, and agenda of meeting(s) to discuss evaluation results, develop IEP, and/or determine placement
- How parents can prepare for above meeting(s)
- How the parents can arrange to visit the proposed placement(s); what they should look for when they visit

Information Provided by Parents:

- Degree to which parents wish to be involved in the development of the IEP and placement decision-making process
- Assistance parents need (e.g., transportation, child care, interpreter) to ensure their presence and participation at meetings.

### RESOURCES AVAILABLE OUTSIDE THE SCHOOL

**Information Provided by School:**

- Names of parents of other students in the proposed placement who are willing to discuss the placement
- Books, periodicals, and organizations concerned with the child's disability
- Names of parent advocacy, psychological, and other support groups available to parents
- Recreational facilities available to the child.

**Information Provided by Parents:**

- Outside services and support the child is currently receiving
- Particular community services in which parents would like their child to participate.

## THE PARENT/SCHOOL CONFERENCE

For a decision as important as the first placement in a special education program, personal contact with parents is almost always required to ensure that they understand the nature of, reasons for, and purpose of the proposed placement. A parent/school conference is the best way to guarantee that parents understand the results of the evaluation, have an opportunity to participate in the development of their child's IEP, and are informed about the proposed placement. There are several ways in which parent/school conferences can be used at the IEP and placement stages.

### Variation One

Some school districts discuss the results of the evaluation, develop the IEP, provide notice, and request consent to placement all at the same meeting. This pattern has the advantage of permitting complete integration of the information presented, so that parents gain an understanding of how the evaluation information is used to develop an educational program for their child and how that program, in turn, becomes the basis for selecting an appropriate placement. The disadvantage of this variation is that because of the amount of information to be presented and the number of decisions to be made, the meeting can be overwhelming and exhausting and may not provide adequate time for parent reflection and investigation. This pattern also consumes considerable amounts of professional staff time, since the evaluation specialists as well as members of the program planning and placement team must be present. When such single meetings are carefully structured and parents adequately prepared, however, they are quite effective. Parents can leave such meetings with a sense that the problem has been identified and a comprehensive plan to assist their child worked out.

### Variation Two

Other school districts present the results of the evaluation and perhaps a discussion of alternative placements at one meeting, and invite parents to a second meeting to develop the IEP and receive notification of the proposed placement. This pattern also tends to occur when an outside clinic or agency does the evaluation of the child, or if the child is severely handicapped and the evaluation has been very extensive. Separate evaluation briefings avoid overwhelming the parents with too much information and too many decisions at once, and they permit more efficient use of the professional evaluation team staff. Some parents, however, do not view separate conferences positively. They find the evaluation conference unfulfilling, presenting their child's problem without specific recommendations for a solution. Care must be taken when using this variation, therefore, to ensure that parents leave the evaluation debriefing with confidence that a solution is forthcoming and some knowledge of what that solution might involve.

### Variation Three

A common variation on both of the above approaches involves delivering the placement notice after the meeting(s) with parents. At the IEP/placement conference, potential placements are discussed, but the selection of a specific placement occurs after the meeting. When the specific placement receives administrative approval, parents are notified and asked to consent (usually through the mail). During the interim period between the conference and the delivery of notice, parents have an opportunity to visit the principal placement alternatives.

### Conference Format

Whichever of the above two patterns is used, however, the information conveyed tends to be presented in a similar manner. The conferences comprise multiple school personnel -- usually the school psychologist, the social worker, a learning specialist, and building administrator. This group may be supplemented by other specialists who have evaluated the student and by other concerned staff -- a guidance counselor, a special education teacher, the child's classroom teacher, and, in some instances, staff from other agencies involved with the child and his or her family.

In general, parents appreciate the opportunity to meet each of the professional staff who participated in the evaluation of their child and to witness the interrelationship and interchange among the members of the evaluation team. However, the advantages to be gained from having each specialist present must be carefully weighed against the disadvantages of possibly confusing or overwhelming the parent, and of the heavy costs involved in staff time. Using just one or two professional staff who are familiar with the student's evaluation allows for a unified presentation of the evaluation results, and may be a more economical use of staff and a better way of integrating the component pieces of the evaluation.

Most school districts rely on formal presentations, with each participant discussing his or her findings about the child. The most effective presentations are brief and straightforward. Parents are most understanding and accepting when information is not technical and is presented in terms of their child's educational needs and school performance.

Conference Length

Program planning meetings typically last no longer than one hour. Establishing a fixed length of time for the meeting is necessary to accommodate the schedules of the multiple participants and provide parents with an opportunity to participate effectively in the planning process. Compacted into this session, however, is not only the sharing and synthesis of information, but also the development of an appropriate educational program and an examination of the placement alternatives.

Given the extent of information discussed, such a one-hour time frame can be constraining. It may be more appropriate to schedule a 1-1/2, 2, or 2-1/2 hour meeting, allowing

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time for both comprehensive presentations and parent reaction and participation. Parents need to feel there is time to explore all the alternatives and have all their questions answered. Those who feel pressured or rushed may consent to a placement today, but be resentful and uncooperative afterwards. If schools are to foster parental understanding, trust, and informed consent, there must be time for thoughtful and open discussion.

### Conference Content

Just what information is presented at a parent/school conference at the IEP and placement stages depends on the nature of the school's previous contacts with the parents and the parents' level of understanding. A meeting prior to the evaluation may have prepared the parents for this subsequent conference. Even then, though, it is good practice to inform parents prior to the meeting of the agenda, participants, and specific items to be discussed. Failure to do this may cause parents to feel caught unawares, intimidated, or overwhelmed. It may also be advantageous to include a blank IEP to familiarize parents with its general content and help them formulate their own ideas of what they want for their son or daughter. Parents should be told they can bring a friend, advocate, or interpreter to the meeting.

Some information is better left for initial presentation at a face-to-face meeting. For example, it is generally not a good idea to give parents a summary of the evaluation results prior to the meeting; evaluation results need to be professionally interpreted. Written summaries furnished by the school during the conference are more useful, serving to structure the presentation and encourage parents to ask specific questions.

### Agenda/Checklist

Given the breadth of information, the number of decisions to be made, and the time available, the organization of the program planning meeting is of the greatest importance.

It affects the amount of information parents can assimilate, their ability to participate fully, and their support of any final decision. As at the evaluation notification meeting, an agenda/checklist can facilitate the presentation of information and the making of decisions at the program planning meeting.

An agenda/checklist for a program planning meeting might structure the meeting around the three written documents involved: summary of the evaluation results; Individualized Education Program (IEP); and written notice of and consent to placement. In this case, the major agenda items would be six.

## AGENDA/CHECKLIST FOR A PROGRAM PLANNING MEETING

### Outline of Content

1. Welcome
    - a. Thanks to parents for attending
    - b. Solicitation of parent questions and comments
2. Orientation
    - a. Meeting agenda
    - b. Introduction of staff
3. Evaluation Results
    - a. Summary and interpretation of results
    - b. Parent reactions
    - c. Confidentiality of child's school records
    - d. Child's eligibility for special education
    - e. Discussion of handicapping condition
4. IEP Development
    - a. Purpose of IEP
    - b. General content of IEP
    - c. Current level of performance (based on evaluation results)
    - d. Goals and objectives
    - e. Criteria for determining whether goals and objectives are met
    - f. Related services to be provided
    - g. Starting date and duration of services
5. Placement
    - a. Relationship of IEP to placement
    - b. Placement proposed by school
    - c. Alternative placements considered but rejected
    - d. LRE and mainstreaming
    - e. Time in the regular class
    - f. Invitation to parents to visit placement
    - g. Reminder of parents' rights
    - h. Parents' responses to placement
    - i. Presentation of request for consent
    - j. If parents consent:
        - Practical details on entering placement
        - Ways to discuss placement with child
        - Supporting activities parents can do with child at home
    - k. If parents are reluctant to grant consent:
        - Reasons for their reservations
        - Possible compromises
        - Alternative placements that parents might visit
6. Conclusion
    - a. Review of information discussed and action to be taken
    - b. Invitation of additional questions
    - c. Name of school contact person
    - d. Tentative date for next contact

# AGENDA/CHECKLIST FOR A PROGRAM PLANNING MEETING

## Sample Cover Sheet

### AGENDA/CHECKLIST
### for
### A PROGRAM PLANNING MEETING

Student's Name: ____________________

Date: ____________________

Classroom Teacher: ____________________

Case Manager: ____________________

Handicap Designation: ____________________

Placement: ____________________

**SUMMARY OF MEETING:**

____ Discussed evaluation and eligibility for special education services:

    ____ Eligible
    ____ Not eligible
    ____ Classification

____ Developed IEP:

    ____ Current level of performance
    ____ Goals and objectives, evaluation criteria, and procedures
    ____ Related services

____ Presented placement notice and discussed

    ____ Proposed placement ____________________
    ____ Alternative placements ____________________
    ____ Percentage of time in regular program ____________________

____ Requested consent to placement

    ____ Request for Consent explained
    ____ Consent postponed:

        • Until ____________________
        • Reason ____________________

    ____ Consent granted
    ____ Consent denied:

        • Reason ____________________

    ____ Dispute settlement procedures and due process hearing explained

**FURTHER ACTION TO BE TAKEN:**

**MATERIALS PROVIDED:**

**ADDITIONAL MEETINGS SCHEDULED:**

| **Participants:** | **Relationship to Student:** |
|---|---|
| ____________________ | ____________________ |
| ____________________ | ____________________ |

## AGENDA/CHECKLIST FOR A PROGRAM PLANNING MEETING

### Sample Page

Student's Name ______________________________

Date ______________________________________

| Agenda Item | Information to Convey | Done | Preparations to Make | Done | Notes |
|---|---|---|---|---|---|
| PLACEMENT | 40. Implementation of IEP in placement. | ___ | | | |
| | 41. Notice of placement proposed by school. | ___ | | | |
| | 42. Placement location and type of instruction. | ___ | Find out:<br>● Where proposed placement is located; | ___ | |
| | 43. Appropriateness of proposed placement: | | ● How parents can arrange to visit. | ___ | |
| | ● Relationship to evaluation results; | ___ | | | |
| | ● How it meets student's special needs. | ___ | | | |
| | 44. Alternative placements considered: | | Become familiar with program and placement options. | ___ | |
| | ● Problems and benefits of each; | ___ | | | |
| | ● Why alternatives were rejected. | ___ | | | |

Schools that report the evaluation results at one meeting and discuss the IEP and placement at another can use the appropriate section from the agenda/checklist at each meeting, or make two separate checklists.

As you can see, the preceding outline allots a significant portion of the meeting to the discussion of the proposed placement. This is because parents' satisfaction with the entire planning process is most often dependent on their confidence in the outcome -- i.e., the placement recommendation. Moreover, parents seem to require less information on the technical aspects of the evaluation (e.g., scores on tests) and more interpretative information on how the evaluation results and the child's educational program (goals, objectives, services) relate to a placement.

## RESPONDING TO COMMON QUESTIONS AND CONCERNS

At the program planning meeting, parents may raise any number of questions and concerns related to the evaluation results, IEP and placement. In particular, there are three reasons why many parents resist a proposed placement.

### Incomplete or Inaccurate Information

Parents must have access to complete and accurate information about their child's special needs and the placement proposed for their child. When parents feel they are not completely informed, schools can provide them with additional evaluation information, names of other parents and parent groups, and other written descriptive materials. They can also arrange for parents to observe their child in class, visit alternative programs or placements, and talk with designated teachers.

Occasionally, parents' request for more information reflects apprehension or distrust of the school. By being open with parents about what is proposed, encouraging parents to visit the program, providing parents with the names of outside persons to talk with, and suggesting sources for an independent evaluation, a school can alleviate anxiety and foster more open communication and trust.

**Differences in Opinion**

There are situations in which parents and school staff have honest differences of opinion about what constitutes an appropriate placement. For example, parents may believe their child needs an intensive, self-contained instructional program, while school staff believe supportive instruction in a resource class is appropriate. Or, parents may want a program with a strong vocational component, while the school believes a sound academic foundation should come before vocational considerations.

These disagreements center around values and judgments about what a child needs, and can be dealt with through a variety of conflict resolution techniques. The goal of such strategies is to create an atmosphere in which ideas and opinions can be exchanged with openness and mutual respect. Parents need to feel that their opinions are being heard and taken into consideration, and that there is time to explore alternatives and obtain outside advice and counsel. One way to create such an atmosphere of trust is to explain to parents their rights to request an independent evaluation and to appeal the dispute to higher school administrative levels, mediation, or an impartial due process hearing officer. Often, bringing the principal or other higher level administrative staff into a dispute helps create a more facilitative climate and assures parents that their concerns are being taken seriously.

Sometimes, more or different evaluation information is useful in settling parent/school disagreements. An independent evaluation may resolve certain issues about a child's instructional needs. Often, if both the parents and the school agree to an independent evaluation and the results of that evaluation support the school's proposal, parents are willing to consent to that placement, thus avoiding the need for a due process hearing.

More information about a program -- particularly concrete information about what will be taught and what instructional techniques will be used -- may correct parent misconceptions about the proposed placement. For example, parents may not realize how much of their "self-contained" child's instruction will be similar to that used in the regular program, or how many activities their child will be doing with nonhandicapped children.

Often a compromise may be appropriate. Or, if the disagreement is related to whether or not the child is eligible for special education, it may be helpful to clarify the eligibility criteria and to offer other nonspecial education assistance.

Another effective strategy is to specify a trial placement. This involves placing a child in the program proposed by either the parents or the school for a limited time period, and monitoring his/her progress. While this might not be totally satisfying to either parents or school, it does provide time for more observation and an interim resolution that offers some support for the student.

In some cases, parent/school disputes are best handled by proceeding in the direction the parent wishes. This develops parent confidence in and support of the school and prevents exhaustive due process hearings. However, this strategy works only if school staff implement the parents' wishes without reservation. Passive resistance strategies on the part of teachers doom this strategy to failure.

If a dispute persists, of course, parents should be informed about and assisted in preparing for an impartial due process hearing.

| | |
|---|---|
| Denial of Problem | Communicating with parents who continue to deny their child's handicap and resist special education can be taxing. However, continued openness, additional information, expanded opportunities for parent participating, and shared concern for the welfare of the child usually bring success. Resistant parents may gradually come to accept their child's problem, and often become the school's strongest supporters. |

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
## AT
## PROGRAM PLANNING MEETINGS

### Evaluation Results

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| Exactly what did the evaluation measure? | We were trying to find out how your child learns best so we can help him/her succeed in school. We looked at such factors as attention span, concentration, and anxiety in performing tasks. We also looked at how your child perceives and approaches a task, and how these things compared with other children her/his age. We combined this information with additional information about your child's school peformance, adaptive behavior, and relationships with his/her friends. In this way, we learned about your child's strengths and weaknesses in many different areas. |
| How confident can I be that the scores are accurate? | The tests were performed by professionals trained to administer them and interpret the results. The tests were conducted according to the instructions in an administrator's manual. Remember, too, that all the tests used have been shown to be valid for the purposes for which they are being used. |
| What might have caused my child to receive these scores? | We try to assure that each student is tested under fair procedures, and have made adjustments for unusual circumstances that occurred during your child's evaluation. [Discuss child's skills in terms of specific tests administered and how tests are consistent in indicating strengths and weaknesses. Include other information to support these findings: teachers' reports, previous testing information, etc.] |

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS AT PROGRAM PLANNING MEETINGS

### Evaluation Results (Contd.)

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| How do my child's test scores compare with those of other children his or her age? How do they compare with tests given in the past? | [Prepare graphs to show student's scores in comparison with peer scores. Review previous testing information and explain how scores show consistency in needs.] |
| What do the scores mean in terms of predicting my child's future behavior or long-term potential? | The scores help us determine your child's current strengths and weaknesses. From this information we can decide what type of program and services will be appropriate for your child and will help him/her achieve to the best of his or her ability. Your child's future behavior and long-term potential will depend, in part, on how he or she responds to the individual program developed for him/her. Other children with problems similar to your child's have made strides. [Provide information about prognosis for particular handicapping condition.] |
| How will the scores be used in education planning? | We will use the evaluation tests, along with teacher and parent observations and recommendations, to develop an individualized program for your child. We hope you will work closely with us in planning this program. |
| What do the results indicate are my child's educational strengths and weaknesses? | [Prepare list of child's educational strengths and weaknesses and explain how particular test(s) indicate each. Use examples of child's answers and work to illustrate.] |

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
## AT
## PROGRAM PLANNING MEETINGS

### Evaluation Results (Contd.)

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| What will happen to all these evaluation scores and results? | A summary of the results of the evaluation, test protocols, and committee recommendations will be included in your child's permanent record. These records are confidential and are seen only by school personnel working with your child. The information will be used to help school staff plan and carry out an appropriate program for your child. We must get your written permission to release these records to anyone else. However, you may look at them and obtain copies at any time. [Provide information on where files are housed and procedures for reviewing them.] |
| What can I do if I disagree with the results of my child's evaluation? | [Explain parents' rights, including right to refuse consent and right to an independent evaluation. Explain process by which an independent evaluation may be obtained.] |
| Why does my child have to be labelled? | The handicap designation given to your child makes it easier to communicate in a general way the particular type of disability he or she has. Knowing the classification category that includes your child will make it easier for you to locate professionals who work with your child's disability, parent and consumer groups concerned with that disability, and books and magazine articles to help you learn more about your child's handicap. Also, classification is important for recordkeeping and program accountability. The federal government requires that states report the number of students served by type of handicap. |

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
## AT
## PROGRAM PLANNING MEETINGS

### Evaluation Results (Contd.)

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| Is it possible for my child to receive special education services without being designated as handicapped? | If your child is to receive the benefits of an intensive, continuing special education program, he or she must be evaluated and designated as having a disability that meets the legal definition of a handicap as presented in state and local education laws. |
| What exactly does this classification mean? | [Explain the nature of the specific handicapping condition and what it means in terms of child's eligibility for specific services.] |
| Will the classification be permanent? | The classification is for special educaeducation purposes only. If your child withdraws or is dismissed from special education, he or she will no longer be classified as handicapped -- at least as far as special education is concerned. Your child's classification may change if a reevaluation shows changes in your child's test profile or behavior that points to a different classification. Your child will be reevaluated at least every three years to find out whether or not he or she still meets the legal definition of handicapped and is still eligible for special education services. |

# SUGGESTED RESPONSES TO COMMON PARENT CONCERNS AT PROGRAM PLANNING MEETINGS

## IEP Development

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| What is the purpose of the IEP? How will it be used? | The IEP is a legally required form developed by school staff and parents to describe the goals and objectives for students receiving special education services. It also describes all the services your child will receive. The IEP gives those professionals who work with your child a consistent plan for developing his/her instruction. |
| What will the content of the IEP document be? | The IEP will include a statement of your child's present level of educational performance and an outline of his or her educational needs in terms of the strengths and weaknesses indicated by the evaluation. These will be used to identify annual goals and short-term objectives for meeting these goals, including the procedure for determining if these objectives are being achieved. The IEP will also name the services to be provided, the providers of these services, and the dates for beginning and ending the services. There will also be a statement of time to be spent in the regular educational program and the date for the IEP review. [Discuss IEP content, following district's IEP format.] |
| When will my child's IEP be reviewed to determine if it is still appropriate? | Your child's IEP will be reviewed at least annually to assess your child's progress in meeting the goals and objectives outlined. It can, however, be reviewed and revised more frequently if you or the school feel that is necessary. |

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
## AT
## PROGRAM PLANNING MEETINGS

### IEP Development (Contd.)

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| Is the IEP a legally binding document? | No, the IEP is not a contract, but it is a document with legal importance. It defines the services to be provided to a particular student, and obligates the school to provide those services. School districts and teachers cannot be held liable if a student does not make the progress expected, but the school must make every effort to provide the services stipulated and assist the child in achieving the goals specified in the IEP. |
| What should I do if I disagree with the IEP? | First, express your dissatisfaction and explain why you feel any part of the IEP may be inappropriate. The school wants to work with you and is willing to make modifications in the IEP. Your child will not receive any special education services except those you and the school agree are needed. If the disagreement cannot be resolved, you may request an independent evaluation to provide additional insight into the appropriate goals and services for your child. You also have the right to a due process a hearing. |
| Will I receive a copy of the IEP? How should I use it? | If you request it, you will be given a copy of your child's IEP. [Explain how and when this will happen.] You should use it to keep track of the progress your child is making and to help you determine the appropriateness of the program and services he/she is receiving. |

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
## AT
## PROGRAM PLANNING MEETINGS

### Placement

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| Is it necessary for my child to be separated from his/her friends to get needed services? | Your child's program will be in the least restrictive environment. He/she will participate in as many activities as possible in the mainstream of school life, and will not be separated from his/her friends unless absolutely necessary. |
| Can my child receive enough special instruction and teacher help if he/she stays in a regular class? Won't the other students ignore or tease him/her? | We believe that every student receiving special education services should be with nonhandicapped students as much as is appropriate. Being with nonhandicapped students helps your child feel like he/she is a real part of the school community. And many handicapped students learn more and develop better social skills when they are part of a regular class and can observe and interact with other students. All of our teachers have participated in workshops to help them understand the need for integrating handicapped students into the social group and preventing other students from ignoring or teaching your child.<br>We make every effort to provide an balance of intensive special instruction and time in regular classes with nonhandicapped students so that your child will achieve his/her IEP goals. The school staff will be alert to any problems that may arise as a result of your child's being mainstreamed, and we know you will be, too. If it appears that your child is unhappy or not making adequate progress, we will review his/her IEP and placement and make any necessary adjustments. |

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
## AT
## PROGRAM PLANNING MEETINGS

### Placement (Contd.)

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| How will the most appropriate placement for my child be determined? | First, we will identify the educational needs of your child and determine what special services are required to meet those needs. Then a committee, including professionals who are familiar with your child, will look at and discuss the different placements where the services described in your child's IEP may be delivered. An appropriate, least restrictive alternative will be selected. The committee will discuss the alternatives and their proposal with you to obtain your consent. No placement will be made without your approval and written consent. |
| What is meant by "least restrictive environment" and "mainstreaming"? | "Least restrictive environment" refers to the amount of integration between the special education services a child receives and his/her participation in regular school programs. Handicapped students are members of the school community and should attend regular classes and participate in normal school social and academic activities to the maximum extent appropriate. This involvement in regular school activities is commonly referred to as "mainstreaming". How restrictive or integrated a program a child has depends on his/her individual needs. We try to keep handicapped students as much in the mainstream of school society as possible. |

## SUGGESTED RESPONSES TO COMMON PARENT CONCERNS AT PROGRAM PLANNING MEETINGS

### Placement (Contd.)

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| Can I visit placement alternatives for my child? What should I look for when I do? | [Explain how parents can arrange to visit placements.] When you visit, arrange to talk with the teacher and observe the class in progress. You should look for:<br>● the program's approach<br>● the curriculum orientation<br>● frequency and type of contact with nonhandicapped students<br>● number and type of program staff (specialists and aides) and ratio of staff to students<br>● special facilities, equipment and materials available<br>● characteristics of students in the program and how they interact with one another and with adults. |
| What can I do if I disagree with the proposed placement? | Your child will not be placed in a special education program without your written consent, and you can refuse the placement. You may also request a hearing before an impartial hearing officer. [Explain dispute settlement procedures.] |

### SUGGESTED RESPONSES TO COMMON PARENT CONCERNS
### AT
### PROGRAM PLANNING MEETINGS

Placement (Contd.)

| PARENT CONCERN.... | ....SCHOOL RESPONSE |
|---|---|
| How do I decide if my child's placement is working out? What can I do if I don't think it is? | Stay in contact with your child's teacher and ask for progress reports. Ask your child how he/she feels school is going. You should be able to see your child beginning to attain some of the objectives on the IEP in 6-8 weeks [or some other time period]. If you do not feel your child is making adequate progress, you should contact the school. [Explain how parents or school can request an IEP meeting or review of the placement at any time. Remind parents that consent can be revoked at any time.] |
| How long will my child be in this placement? | [Be honest in discussing the amount of time child may remain in placement. Explain review and reevaluation procedures.] |

IN SUM: Interpersonal communication is needed to amplify and interpret information presented in the written notice, to respond to parent questions and concerns, to involve parents actively in the decision-making process, and to build a close working relationship between parents and school. One of the most effective means of interpersonal communication is the parent/school conference, which is most critical at the evaluation and IEP/placement stages. The use of a detailed agenda/checklist can further help to ensure that all important information is covered and parents have an opportunity to express their preferences and views.

## WORKSHOP ACTIVITIES

The content of Chapter 3 is appropriate for two kinds of workshop sessions:

- One or more intensive training sessions geared to those school personnel who interact personally with parents of handicapped children (e.g., principals, school psychologists, social workers, special education teachers, community outreach workers).
- One or two workshops within a general series designed to convey the basic facts about notification.

Depending on which type of session is most suitable for you, you can select from the following activities.

### ACTIVITY #1: INTRODUCTION TO INTERPERSONAL NOTIFICATION

| | |
|---|---|
| **Purpose:** | To orient participants to the various forms of personnel communication that play an important role in the notification process |
| **Time:** | 30 minutes |
| **Material:** | None |

School personnel can make use of a wide range of mechanisms to communicate personally with parents of handicapped children. This activity will help participants take a closer look at the need for these interpersonal exchanges and the purposes they serve.

1. Discuss some of the limitations of written communication and the reasons why interpersonal interactions are needed to supplement written notification. Encourage participants to use examples from their own experience to illustrate situations where personal communication is the key to successful notification and planning.
2. List the different forms of personal communication that school staff most often use during the special education planning process:

- home visits
- telephone calls
- informal parent-teacher talks
- parent/teacher meetings
- parent/school conferences.

For each of these, discuss:

- the special purpose it serves
- its advantages and disadvantages
- at which times it is most useful.

You might want to talk, too, about which of these mechanisms participants find most effective, and which they think parents prefer.

## ACTIVITY #2: INTERPERSONAL COMMUNICATION AT THE EVALUATION STAGE

| | |
|---|---|
| Purpose: | To familiarize participants with the information needs and concerns of parents at the evaluation stage, and the ways in which interpersonal communication can be used to respond to these needs and concerns |
| Time: | One to two hours |
| Material: | • "Content Outline for an Agenda/Checklist for an Evaluation Notification Meeting" (page 82)<br>• "Sample Pages for an Agenda/Checklist for an Evaluation Notification Meeting" (pages 83-84) |

During the evaluation stage, parents come into contact with a significant amount of new information about their child's needs and the special education planning process. School staff, at the same time, are collecting detailed information about the child and his/her family. This exchange of detailed information, and the emotional reactions that often accompany it, necessitate the use of some form of interpersonal notification at one or more points in the evaluation stage.

1. Make a list of the information that parents need to know at the evaluation stage. For each item, indicate whether this information:

    - must be conveyed in the written notice
    - usually requires verbal clarification or discussion
    - is best initially presented during a personal interaction.

2. Make another list of the information that school staff need to obtain from parents at the evaluation stage, and indicate which items on the list are best obtained during personal contacts.

3. Discuss how a parent/school conference could be used to meet parents' information needs. Distribute copies of the content outline and sample pages for an agenda/checklist for an evaluation notification meeting. Decide whether such an agenda/checklist could facilitate parent/school conferences in your school or district. Adapt or expand the suggested content outline to fit your needs and practices and, if desired, assign staff to develop an agenda/checklist for evaluation notification meetings in your school/district.

4. Select from the list of "Suggested Responses to Common Parent Concerns at Evaluation Notification Meetings" (pages 88 - 93) those questions that most frequently arise among parents in your school or district. Present these to participants, and have them discuss or role play appropriate responses and talk about the possible causes of such parental reactions.

## ACTIVITY #3: INTERPERSONAL COMMUNICATION AT THE IEP/PLACEMENT STAGE

| | |
|---|---|
| Purpose: | To familiarize participants with the information needs and concerns of parents at the IEP/placement stage, and the ways in which interpersonal communication can be used to respond to these needs and concerns |
| Time: | One-two hours |
| Materials: | • "Content Outline for an Agenda/Checklist for a Program Planning Meeting" (page 107)<br>• Sample pages for an Agenda/Checklist for a Program Planning Meeting" (pages 108 - 109) |

During the IEP/placement stage, parents must assimilate additional and often technical information about their child's needs and various program and placement options to meet these needs. School staff must gather additional information from the parents about the child and about parents' goals and preferences for the child. Furthermore, parents must be invited to participate in any meeting(s) at which their child's IEP is developed or changed. To meet legal mandates and to provide for effective information-sharing, therefore, some form of interpersonal notification at the IEP/placement stage is crucial.

Follow steps 1-4 in Activity #2 above, applying them to the IEP/placement stage, the Program Planning Meeting, and the information presented on pages 114 to 123 of this book.

## CHAPTER 4

## PUTTING IT ALL TOGETHER: STEP BY STEP

As we have seen, there are certain basic steps schools must take to meet the legal requirements of the law regarding parent notification. These relate not only to when notice and consent must take place, but also to what it must include and how it must be presented. Once these major stepping stones are in place, you can add other procedures to make it easier to get from one major stepping stone to the next. In doing this, you have access to a virtual grab bag of strategies.

YOU CAN...

...add to the content of the required notice and request for consent in ways that will inform parents more fully and encourage their participation.

...develop optional notice and consent procedures to document events in the planning process, facilitate parents' involvement, and strengthen your relationship with them.

...prepare other supplemental materials--fact sheets, brochures, booklets, lists, and directories--to meet common information needs about special education and the planning process.

...interact with parents on a personal level--on the phone, at school, or even at home--to share information, answer questions, and alleviate concerns.

Opportunities for laying these stepping stones are available at every stage in the special education planning process.

## NOTIFICATION THROUGHOUT THE SEVEN STAGES: SUMMARY AND REVIEW

**IDENTIFICATION**

At the identification stage, a public announcement is required when a school intends to conduct a formal, school-wide screening of children, one purpose of which is to locate those with special needs.

In addition, many schools have informal screening procedures that occur after a teacher, parent, or other person has made a request to have a student evaluated. Schools that have such procedures may choose to keep parents informed by:

- notifying them that their child is being screened for a possible comprehensive evaluation;
- offering to meet with parents before the screening to answer questions about the referral;
- inviting parents to attend the screening meeting and participate in the screening process;
- providing parents with a written summary of the screening results.

**EVALUATION**

After it has been decided that a comprehensive educational evaluation is necessary to learn more about a child's problems, parents must be notified in writing of the intent to evaluate and their written consent must be obtained. If it is determined that an evaluation requested by parents is not necessary, then parents must receive formal notice of the refusal to evaluate. And, if the evaluation reveals that a student is not eligible for a special education placement or program, parents must receive formal, written notice to that effect.

Notification related to the preplacement evaluation may also include the following optional actions:

- telephoning parents to alert them that the notice is on its way and to briefly discuss the reasons for the intent or refusal to evaluate;

- inviting parents to a meeting to explain the reasons for the intent to evaluate and the nature of the proposed evaluation;
- visiting parents at their home to discuss the evaluation and obtain their input;
- providing detailed written information about the special education process as a whole and the evaluation process in particular;
- inviting parents to a meeting to discuss the results of the evaluation and the child's eligibility or ineligibility for special education, at which time a written summary of the evaluation results may be presented;
- sending parents who cannot attend the evaluation debriefing a written report of the meeting.

## IEP

If the evaluation results indicate that a student is eligible for special education services, the next step is the development of an individualized education program for that child. Parents must be invited to the meeting at which the IEP is developed (which may or may not be the same meeting at which the evaluation results are discussed and/or placement determined). If parents request a copy of the IEP, schools are required to give them one.

Written notification of the IEP meeting is not required, but it is highly recommended. It is also a good practice for schools to provide parents with a copy of the IEP on their own initiative.

## PLACEMENT

The IEP serves as the basis for the determination of an appropriate placement for a child. Schools must provide parents with formal, written notice of the placement that is proposed, and obtain parents' written, informed consent to this initial placement.

**This required notification can be supplemented by:**

- **inviting parents to a meeting to participate in the placement decision-making process (usually the same meeting at which the IEP is developed);**
- **encouraging parents to visit the proposed placement(s);**
- **giving parents an opportunity to discuss the proposed placement(s) with their child, friends, school personnel, and other parents and parent groups;**
- **providing parents with detailed written material about the proposed placement(s).**

## PROVISION OF SERVICES

If changes in placement or related services are proposed during the year, then parents must receive formal, written notice of these changes.

In addition, schools usually remain in communication with parents during this stage through one or more of the following activities:

- report cards and other standard school reporting forms;
- telephone calls, informal notes or school meetings to discuss the child's general progress or any specific needs or problems that arise;
- suggestions as to how parents can reinforce the child's program at home.

## REVIEW

Parents must be invited to the review of their child's IEP and placement, and this must take place annually or more frequently if parents or school request it. If any change in placement or services are being proposed at this meeting, parents must receive formal written notification.

Again, it is a good idea to notify parents of the IEP meeting in writing, and to provide them with a copy of the revised IEP.

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**REEVALUATION**

Parents must be notified in writing whenever the school reevaluates their child. If a change or termination in eligibility, placement or services is indicated by the reevaluation, written notice is required.

Some of the supplementary written and interpersonal mechanisms recommended at the preplacement evaluation stage are also appropriate here, including:

- inviting parents to discuss the results of the evaluation;
- providing parents with a summary of these evaluation results.

## SELECTING AND APPLYING NOTIFICATION MECHANISMS: A CASE STUDY

Clearly, neither school nor parents would benefit from the use of all these stepping stones. The effect would be overwhelming to parents, exhausting to schools. Notification mechanisms must be selected and combined in ways that suit the characteristics of the school district, meet the needs of parents and children, and provide the most direct route to the ultimate goal: an appropriate education for a handicapped child.

To illustrate how this can be done, and to conclude this book, we invite you to consider the case of...

## ... THE SEPATAS

The Sepatas live in a small town where Mr. Sepata is an accountant and Mrs. Sepata an award-winning jewelry-maker who works at home. Their daughter Karen is 6-years-old and multiply-handicapped. She has moderate-to-severe cerebral palsy, very poor speech, and moderate retardation. Although helped by leg braces, Karen has limited mobility and requires almost constant attention. Karen's parents want her to continue in a private, residential school program, but the local public school recommends placement in an Intermediate Unit Special School. In deciding whether or not to consent to the proposed placement, the Sepatas must consider such issues as transportation, the least restrictive environment, and their own needs as well as Karen's.

### IDENTIFICATION

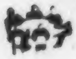
Karen Sepata's cerebral palsy was identified when she was an infant, and her parents have taken her all over the state for evaluations and treatment. Karen has attended an infant development program run by a nearby hospital, an Easter Seal pre-school program, and, most recently, a federally-funded, residential pre-school program sponsored by a private school called The Sullivan Center. Karen has done very well at the Sullivan Center. She's become almost toilet-trained and learned to feed herself, and her temper tantrums have subsided. Karen's parents believe her progress can be attributed to the 24-hour attention and instruction she has received at The Sullivan Center.

Karen's parents wanted her to move on to the elementary school program at The Sullivan Center. However, this program is supported by tuition, which the Sepatas cannot afford. So they made an appointment with the principal of the elementary school in their neighborhood. When they explained the purpose of the visit--to request tuition reimbursement for Karen's program--the principal agreed that a special education representative should be present at their meeting.

At the meeting, Mr. Sepata explained Karen's handicap, and Mrs. Sepata described the program at The Sullivan Center and explained why they wanted Karen to remain there. The director of special education, Ms. Turner, informed them that before the school could recommend placement in any program, certain procedures had to be followed to assure Karen was placed in the least restrictive environment. Ms. Turner gave the Sepatas a copy of a booklet entitled "A Parent's Introduction to Special Education" and a list of support groups. She went over the special education planning process with the Sepatas, discussed their rights, and explained that Karen's placement would be based on the individualized education program developed for her. She also explained that the Grover Park Public School System was part of an Intermediate Network Unit of schools. The Intermediate Unit had a good program for multiply-handicapped students in a special school building about 30 miles away. The Sepatas had heard something about that program, but didn't think it was as good as the program at The Sullivan Center. Besides, they said, the Intermediate Unit was too far away and was not a residential program.

## EVALUATION

Ms. Turner prepared a Notice of Preplacement Evaluation and reviewed it with the Sepatas. Mr. and Mrs. Sepata signed the request for consent to the evaluation and a statement authorizing the release of records. Ms. Turner explained that in the case of a multiply-handicapped child, the school would use private psychologists, audiologists, speech, physical and occupational therapists to conduct aspects of the evaluation. She also told the Sepatas they would receive an evaluation schedule in the mail.



As agreed, Mrs. Sepata took Karen to the Easter Seals Developmental Disabilities Diagnostic Clinic, and after the three-day evaluation the Sepatas were invited to a meeting with the evaluation team. At the meeting the Sepatas were given a summary of the evaluation results. The meeting confirmed the Sepatas' feelings that Karen could learn basic living skills and perhaps be employed in an unskilled position. However, it did not provide any insight into the appropriate school program for Karen. Mrs. Sepata wondered how the school would translate all this technical information into an education program.

Mr. and Mrs. Sepata were invited to a program planning meeting to discuss Karen's program and consider possible placements. Concerned that the school would propose the Intermediate Unit Special School as appropriate and less restrictive than a private placement, the Sepatas contacted the local chapter of the Association for Retarded Citizens (ARC). Mr. Sepata spoke with someone at the ARC who was familiar with both The Sullivan Center and the Intermediate Unit Special School and felt they were both good. If the Sepatas really wanted Karen to remain in The Sullivan Center, however, he suggested they contact an attorney, because a due process hearing would probably be necessary.

Mr. and Mrs. Sepata were reluctant to hire an attorney, but they talked with one they knew socially. The attorney advised them to keep an open mind and start documenting the case by keeping careful records. She also suggested they get help in preparing their case from the state Developmental Disabilities Law Project.

The program planning meeting was attended by: the Sepatas; the director of special education; the school psychologist; the social worker from the Diagnostic Clinic; the speech pathologist; the audiologist; the physical therapist; the school district mental retardation supervisor; the director of the mental retardation program at the Intermediate Unit; and, at the request of the Sepatas, the director of The Sullivan Center.

Ms. Turner, the director of special education, reviewed the summary of the evaluation conducted at the Diagnostic Clinic and asked if the Sepatas were satisfied. When Mrs. Sepata complained the evaluation didn't help her decide on an educational program for Karen, Ms. Turner promised the school would interpret the findings of the evaluation as they developed an individual education program for Karen.

IEP

First, Ms. Turner translated the evaluation findings into statements of Karen's current levels of performance. She then shared the goals and objectives the school believed were reasonable for Karen; these were in the areas of living and social skills, speech, and small muscle coordination. She asked the Sepatas what their feelings were about the goals and objectives for Karen. The Sepatas agreed with the goals and objectives proposed by the school, and made several additional suggestions that were incorporated into Karen's IEP.

Next, Ms. Turner discussed the therapeutic services that were appropriate for Karen--individual speech therapy and physical therapy two days a week. Mrs. Sepata inquired about play therapy as a way of helping Karen control her temper. Ms. Turner agreed that play therapy was a good idea for Karen, and noted that service in the IEP. When the IEP was completed to the satisfaction of both the Sepatas and the school staff, Ms. Turner promised that they would mail the Sepatas a copy the following week.

IEP

PLACEMENT

The director of the Intermediate Unit mental retardation program then explained the school believed Karen's IEP could be implemented in the Intermediate Unit program. She outlined the schedules of instructional and therapeutic services Karen would receive each day, and explained that bus transportation would be provided (45 minutes each way). Or, if they preferred, Mr. or Mrs. Sepata could drive Karen to school and shave 15-20 minutes off the trip; the school would reimburse the Sepatas for gas and mileage.

Ms. Turner explained that they had considered a private school placement for Karen, but believed it would be too restrictive. The Intermediate Unit Special School was across the street from an elementary school and two blocks from the junior high. There were student exchange and peer tutoring programs in operation with both these schools, thus assuring Karen opportunity for contact with nonhandicapped students. The school viewed residential placements as necessary only in severe situations, preferring ordinarily to allow the child to remain with his or her family and neighborhood.

The director of The Sullivan Center described the services and instructional program Karen would receive at The Sullivan Center, and pointed out that they too had an exchange program.

Ms. Turner urged the Sepatas to visit the program at the Intermediate Unit Special School. She said that a Notice of Placement and a Request for Consent to Placement would be mailed to them. If the Sepatas did not consent to Karen's placement, they had the right to request a due process hearing. She gave the Sepatas a booklet describing the due process hearing procedures, a form to complete if they wished to request a hearing, and a list of names of private attorneys and public interest clinics who were interested in representing clients at hearings. She also discussed the Sepatas' right to a second independent evaluation or educational diagnosis, and gave them a directory of private and community clinics and a form to request an independent evaluation.

The Sepatas visited the Intermediate Unit Special School and found the staff and facilities to be excellent. As they discussed the two schools at home, they realized what the real issue was:
Mrs. Sepata didn't want to go back to the intensive care routine that Karen required when she lived at home all week. Mr. Sepata

offered several possible compromises: a live-in attendant; his taking one day a week off from his job; and hiring a babysitter for several afternoons.

Finally, the Sepatas agreed on a plan that involved hiring a babysitter for two afternoons a week, Mr. Sepata coming home early on Friday afternoons, and both sharing in Karen's care in the evenings. With the home exercises and games suggested by the school staff, this time could be positively spent. The Sepatas signed and returned the consent form and made arrangements to spend two or three days with Karen at the Intermediate Unit while she became adjusted.

## PROVISION OF SERVICES

In September, Karen began school at the Intermediate Unit Special School, where the services outlined in her IEP were provided. Karen loved the swimming classes, where she felt "free" of her mobility problems. She had a "schoolmate" from the elementary school nearby, and they visited each other every Friday, alternating schools.

Karen did well in school and gradually learned to be more independent, caring for and amusing herself. Mr. and Mrs. Sepata joined the local ARC group, where they made several new friends. They learned about respite care and several other community services for Karen and themselves. Using the respite care, the Sepatas took their first vacation in years.

## REVIEW

At the end of the school year, the Sepatas were invited to an Annual Review Meeting. At that meeting, they discussed Karen's IEP, including her progress in the program and new goals and objectives for the coming year. The Sepatas asked about summer arrangements for Karen and were told that the ARC ran an excellent summer camp program during July and that the Intermediate Unit program offered a recreational/instructional program three days a week during August.

The Sepatas thought Karen required a full-time uninterrupted school program and were dismayed to learn of the limited summer offerings. They requested that Karen's IEP include a statement that Karen would receive full-time, full-year schooling. The school explained that although they would have liked to do this, they lacked the financial resources to provide summer instruction. However, Karen's teacher stated that, in her experience, the children who attended the ARC and Intermediate Unit programs did not seem to lose ground over the summer and seemed to enjoy the social and recreational opportunities. The combination of these two programs therefore seemed an appropriate way to meet Karen's needs.

Karen's IEP did not, in the end, contain a statement about year-round instruction, But Mr. Sepata said he wanted to be "on the record" about Karen's needs, so he added a penciled remark on the IEP indicating his request. After the meeting, the Sepatas received formal notice of the school's refusal to provide full-time, full-year instruction. "Win some, lose some," Mr. Sepata commented as he filed the notice with Karen's records.

## REEVALUATION

After three years had passed, Karen's parents were notified of the need to conduct a reevaluation of Karen. They were very curious to see if the test results confirmed their own observations of Karen's great improvement in behavior and maturity. After the reevaluation was completed, they were invited to a meeting, where they learned that Karen had, indeed, shown tremendous growth.

The results of the reevaluation were considered at that year's Annual Review meeting, where Karen's new IEP was developed. Both the Sepatas and the school are looking forward to Karen's continuing progress through special education.

## WORKSHOP ACTIVITIES

The information presented in this chapter could be used in two kinds of ways:

- as the summary and review of a general workshop session or series on notification
- as a separate workshop session focusing on the integration of written notification and interpersonal communication.

The following three activities can be adapted to either of these purposes.

### ACTIVITY #1: REVIEW OF NOTIFICATION MECHANISMS

| | |
|---|---|
| Purpose: | To assist participants in summarizing and reviewing the written notification and interpersonal communication mechanisms available at each stage of the special education planning process |
| Time: | 30 minutes |
| Material: | None |

At this point, participants will have been exposed to a wide variety of methods for notifying parents and requesting their consent -- both required and optional, written and interpersonal. This activity will provide participants with an opportunity to review these techniques, focusing on their applicability at the seven stages in the special education planning process.

1. For each stage in the special education planning process, list the specific written and interpersonal mechanisms that are available to notify and communicate with parents.

2. Note which of the items on the above list are required, which are optional practices that your school/district already uses, and which are optional practices which would be appropriate for your school/district to establish.

## ACTIVITY #2: CASE STUDY ANALYSIS

| | |
|---|---|
| **Purpose:** | To help participants see how written notification and interpersonal communication complement each other by analyzing the case study of one family |
| **Time:** | One hour |
| **Material:** | Case study of "The Sepatas" (pages 133 to 139) |

In many cases, the combination of notification mechanisms that a school/district chooses to employ depends on the needs, feelings and circumstances of the particular family involved. By considering the case of one family and the notification process used with them, participants can analyze how appropriate forms of written notification and interpersonal communication are selected and used and how these two forms of communication work together.

1. Hand out copies of the case study on the Sepatas and ask participants to read it, keeping in mind the following questions:
   - What were the specific informational and emotional needs of this family?
   - Did the school meet all the legal requirements for written notice and consent?
   - What other notification mechanisms did the school use to respond to the parents' needs?
2. Discuss the case study, beginning with the three general questions posed above. You might also want to talk about:
   - What specific functions the various notification mechanisms served
   - What parents contributed to the planning process
   - How parents were prepared for written notice and consent and for parent/school meetings
   - How the school encouraged parent participation
   - What specific concerns the Sepatas had and how the school responded to these
   - Whether participants would have done anything differently had they been involved with the Sepata family.

3. Discuss how interpersonal communication was used to pave the way for, clarify, or expand on the written notification that Mr. and Mrs. Sepata received. Do participants feel that the written notification delivered was adequate? Inadequate? More than was necessary? What about the interpersonal communication?

ACTIVITY #3: DEVELOPMENT OF A NOTIFICATION PLAN

| | |
|---|---|
| Purpose: | To help participants establish an overall notification plan for your school/district |
| Time: | One hour |
| Material: | Flow chart developed in Chapter 1, Activity #4 (page 17) |

The final application of the material presented in this handbook should be the reassessment of your school/district's overall notification plan and, if necessary or desired, its revision or modification.

1. Display a master copy of, or distribute individual copies of, the flow chart of your school's special education planning process. Based on the information acquired and decisions made as a result of exposure to the STEPPING STONES materials, indicate what additions or changes you would make to this chart. Include both required and optional, written and interpersonal forms of notification at each stage.

2. Discuss any problems you may encounter or things that will have to be done to implement this plan, and suggest ways to overcome these obstacles.

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Focusing entirely on dispute settlement issues, this booklet presents due process procedures in a "how-to-do-it" format, including the steps necessary to meet due process requirements involving special education controversies. A discussion of the utilization of impartial hearing officers and hearing procedures is included, as well as several flow charts and notification/consent/referral forms.

Ackerman, Paul, and Murray Kappelman. Between Parent and School. New York, NY: The Dial Press/James Wade, 1977.

Covers a range of topics affecting the role of parents in providing for their child's education, and explains the interrelationship of parents, teachers and administrators. Describes the rights of special needs children and defines due process procedures. A resource list of parent organizations is included.

Celuzza, Paul, W., and Shelley Bakst Clayton, editors. Connections: A Directory of Services for Children with Special Needs in the Boston Public Schools. Boston, MA: Boston Public Schools, 1979.

A good example of a resource book for parents. Provides information about services, educational programs, and issues affecting handicapped children in Boston. Combines general information and specific program descriptions to answer a variety of questions related to special education services. Provides systems to encourage parental participation in the special education process.

Eager, Nancy B., and Lawrence Kotin. Due Process in Special Education: A Legal Analysis. Cambridge, MA: Research Institute for Educational Problems, 1977.

Analyzes due process procedures for special education in each state, looking at (1) referral, evaluation and placement, and (2) hearing and appeal procedures. Defines parents' rights in the hearing process and discusses mediation as a dispute settlement mechanism. State by state charts review initial appeal, subsequent appeal, judicial review, prehearing conference, and hearing procedures for each state. State administrative provisions for due process are provided for each state.

Kroth, Roger L. Communicating with Parents of Exceptional Children: Improving Parent/Teacher Relationships. Denver, CO: Love Publishing Company, 1975.

Discusses methods of improving communication between parents and teachers of exceptional children. Includes techniques for understanding the child and his or her family and systems for communicating with parents (e.g., handbooks, situational handouts, daily reporting systems). There is an appendix of sample case histories and selected readings for parents of exceptional children.

Kroth, Roger L., and Richard L. Simpson. Parent Conferences as a Teaching Strategy. Denver, CO: Love Publishing Company, 1977.

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An educator-oriented book of practical strategies and procedures for working with parents as partners and co-equals to identify and remediate the problems of exceptional children. Discussions of contacts between school staff and parents throughout the special education process are presented in an informal, case-oriented format with examples of typical parent responses. Training exercises focusing upon procedural techniques are included at the end of each chapter. Includes a chapter devoted to the communication of test results.

Martin, Reed. Educating Handicapped Children: The Legal Mandate. Champaign, IL.: Research Press Company, 1979.

Focuses on the implementation of P.L. 94-142. Defines "free" and "appropriate" education and outlines procedural safeguards, particularly those leading to a due process hearing. Hearing timelines and the qualifications and role of the impartial hearing officer are discussed. Excerpts from federal regulations and lists of resources (publications and organizations) and references are included in the appendix.

Mopsik, Stanley I., and Judith A. Agard, editors. An Education Handbook for Parents of Handicapped Children. Cambridge, MA.: Abt Associates Inc., 1980.

A parent-oriented book designed to help parents understand and become involved in the special education process. The rights of parents and their children and the specific aspects of the special education process (evaluation, IEP, placement, provision of services, and program review and modification) are discussed in a question/answer format. Dispute settlement mechanisms are described including a detailed explanation of due process hearings and the steps parents must take to prepare for a hearing. Examples of sample letters and agendas for a hearing and conferences are included.

The Rights of Parents and The Responsibilities of Schools. Cambridge, MA.: Education Publishing Service, 1978.

Contains an issue-by-issue discussion of due process procedures with pertinent excerpts from P.L. 94-142 and Section 504. Dispute settlement issues, including prior notice and parent consent, hearing rights and appeals, complaint procedures, and surrogate parents are discussed. The complete texts of both laws are included. Also includes a listing of national, state, and local information centers and a bibliography of books and directories for parents and teachers.

Turnbull, Ann P., and H. Rutherford Turnbull. Parents Speak Out: Views from the Other Side of the Two-Way Mirror. Columbus, OH: Charles E. Merrill Publishing Co., 1978.

Focuses on professionals who are also parents of handicapped children speaking to one another about the difficulties and challenges they face. Addresses the dilemma of services for the handicapped from a unique point of view. Includes 15 articles.

Turnbull, H. Rutherford, and Ann P. Turnbull. Free Appropriate Public Education: Law and Implementation. Denver, CO: Love Publishing Co., 1978.

Describes the current legal status of the handicapped child's right to an education, how public schools have dealt with the challenge of educating the handicapped child in the past, and how they must do so under recent law. Provides a detailed analysis of six major principles of federal legislation: zero project; non-discriminating classification; individualized and appropriate education; least restrictive placement; procedural due process; and parental right to participate in the educational process. Also includes a comparison of recent federal laws establishing equal educational opportunities for handicapped children.

The United States Department of Education, Office of Special Education. Developing Criteria for the Evaluation of Due Process Procedural Safeguards Provisions. Philadelphia, PA: Research For Better Schools, Inc., 1979.

Three position papers which explore and develop criteria that LEAs might employ in examining the extent and quality of their implementation of the due process safeguards of P.L. 94-142. Particular emphasis is placed on the notification and consent requirements. An issue-by-issue summary of a panel discussion of the position papers and its recommendations are also included.

The United States Department of Education, Office of Special Education. Developing Criteria for the Evaluation of Individualized Education Program Provisions. Philadelphia, PA: Research For Better Schools, Inc. 1979.

Four position papers that present criteria which could be used by LEAs in evaluating their own progress in implementing the IEP provisions of P.L. 94-142. Criteria are developed for two specific IEP components: (1) the procedures undertaken by LEAs to develop, review, and revise IEPs; and (2) the IEP documents actually produced. An issue-by-issue summary of a panel discussion of the position papers is also presented.

The United States Department of Education, Office of Special Education. Developing Criteria for the Evaluation of the Least Restrictive Environment Provision. Philadelphia, PA: Research for Better Schools, Inc., 1979.

An investigation of issues related to the quality of various procedures undertaken to implement the LRE provision of P.L. 94-142. Develops criteria which can be used to evaluate two specific components of LRE: (1) procedures undertaken by LEAs to implement the LRE provisions; and (2) the appropriateness of the actual placements made. Also includes a summary of a panel discussion of the issues.

The United State Department of Education, Office of Special Education. Developing Criteria for the Evaluation of Protection in Evaluation Procedures Provisions. Philadelphia, PA: Research for Better Schools, Inc., 1979.

An investigation of the issues of equal protection of the law in testing materials and procedures used to evaluate and place handicapped children. Criteria are developed for determining the quality of procedures undertaken by LEAs to implement the protection in evaluation procedures provisions of P.L. 94-142 and the effectiveness of such procedures. Also includes a summary of a panel discussion of the issues.

Weintraub, Frederick J., et al (eds.). Public Policy and the Education of Exceptional Children. Reston, VA.: Council for Exceptional Children, 1976.

Provides guidelines and examples of appropriate policies for exceptional children. Considers the varying rights advocacy has won and examines current developments in public policy at the federal, state and local elvels, including texts and digests of significant federal laws. Professional rights and responsibilities are discussed, as well as information on advocate needs to effect change.

# PARTICIPATING STATES AND SCHOOL DISTRICTS

Mobile County Public Schools
Mobile, Alabama

Phoenix Elementary District #1
Phoenix, Arizona

Los Angeles County Schools
Downey, California

San Diego City Schools
San Diego, California

San Diego Unified School District
San Diego, California

State Department of Education
Department of Special Education
Denver, Colorado

Connecticut State Department of Education
Bureau of Pupil Personnel and Special Education Services
Hartford, Connecticut

State of Florida
Department of Education
Tallahassee, Florida

Newton County School System
Covington, Georgia

Marietta City School District
Marietta, Georgia

School District #91
Idaho Falls, Idaho

Independent School District of Boise City
Boise, Idaho

State Department of Education
Department of Special Education
Boise, Idaho

Eastern Illinois Area of Special Education
Mattoon, Illinois

Northwest Suburban Special Education Organization
Palatine, Illinois

Black Hawk Area Special Education District
SEJA #865
East Moline, Illinois

Department of Special Education
Springfield Public School District #186
Springfield, Illinois

Board of Education
City of Chicago
Chicago, Illinois

Special Education Services
State Department of Education
Baton Rouge, Louisiana

New Orleans Public Schools
New Orleans, Louisiana

State of Maine
Department of Educational and Cultural Services
Augusta, Maine

Division of Special Education
State Department of Education
Boston, Massachusetts

Andover Public Schools
Andover, Massachusetts

Weston Public Schools
Weston, Massachusetts

Springfield School Department
Springfield, Massachusetts

Boston Public Schools
Boston, Massachusetts

Newton Public Schools
Newtonville, Massachusetts

Van Buren Intermediate School District
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Minneapolic Public Schools
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Guilford County School System
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Greenville City Schools
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Onslow County Schools
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Gaston County Schools
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NW Tri-County Intermediate Unit
Edinboro, Pennsylvania

Philadelphia IU #26
Philadelphia, Pennsylvania

Programs for Handicapped
Columbia, South Carolina

State of South Carolina
Department of Education
Columbia, South Carolina

Sumter School District #17
Sumter, South Carolina

Memphis City Schools
Memphis, Tennessee

Granite School District
Salt Lake City, Utah

Billingham Public Schools
Billingham, Washington

Seattle Public Schools
Seattle, Washington

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State Department of Education
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